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Spooner, John C. John C.

THE PHILIPPINE TARIFF.

SPEECH

OF

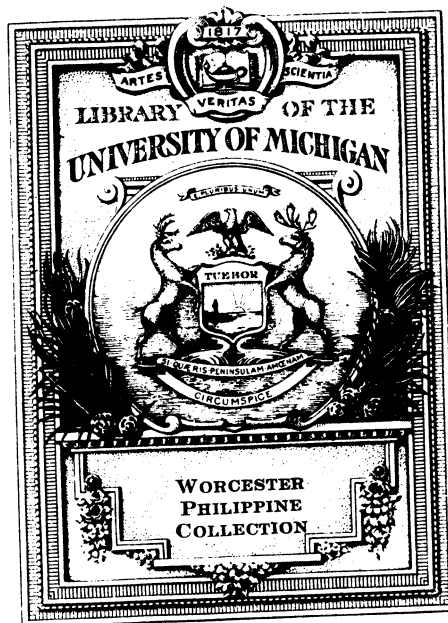
HON. JOHN C. SPOONER,
OF WISCONSIN,

IN THE

SENATE OF THE UNITED STATES,

Friday, February 21, 1902.

WASHINGTON.
1902.



SPEECH
OF
HON. JOHN C. SPOONER.

The Senate having under consideration the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes—

Mr. SPOONER said:

Mr. PRESIDENT: I have sincerely lamented this debate. The bill reported by the majority of the Committee on the Philippines is a bill entirely free from complication; it is simply a revenue bill; and whatever difficulties Senators who are lawyers and other lawyers may have in understanding or reconciling the *opinions* of the Supreme Justices of the United States in what are called the "Island cases," I take it it may be considered settled by the *decision* upon the tariff feature of what is known as the Foraker Act that this proposed tax bill is constitutional. I do not intend to spend any time in analyzing those opinions. The decisions are easily understood.

What is the distinction between territory *appurtenant* or *belonging* to the United States and territory *incorporated* into the United States, I do not intend on this occasion to discuss.

Every dollar of tax which is proposed to be collected under this bill is for the support of government in the Philippines, as every dollar of tax proposed by the Foraker act to be collected upon articles going from the United States into Porto Rico and coming from Porto Rico into the United States was for the support of the Porto Rican government.

I had hoped our friends in the minority here, because we are over there and we are attempting to establish a government there, which must be supported, would find it in harmony with their purposes to discuss this bill and record themselves against it, if they are opposed to it, and to allow us who have the responsibility of the present situation in the Philippine Islands, so far as legislation is concerned, to pass it promptly.

But, Mr. President, that was expecting too much, and upon this bill—but not germane to it at all—has gone on here for weeks a debate involving every phase of what may be called the Philippine question. It has been a debate full of vituperation and taunt, and sometimes, Mr. President, there has not been entirely absent insult. That its purpose was ulterior, and that its effect will be bad, I think no man can doubt.

I picked up this morning The Commoner—I can not now place my hands upon the copy of it which I want—in which the distinguished candidate of the Democratic party in the last campaign, and the preceding campaign, comments upon this debate, sets forth the substitute presented by the minority, and remarks that the Democracy in the Senate by this debate and by this substitute are rendering great service to the "*party*"—to the *party*!

We have upon our hands, Mr. President—and that distinguished

gentleman helped efficiently to put it in our hands—a difficult problem. Never have we had one more difficult, and I think the people of the United States—I may be wrong about it—will in the exigency which confronts us demand of their public servants in the legislative halls and in the Executive chamber a solution of that problem and every phase of it, not with reference to the interest of party, but solely with reference to the interest of the country.

Senators on the other side have been pleased to charge the present situation in the Philippines to the greed and dishonor of Republican leadership. Ugly words have fallen from their lips to us across this Chamber because we chance upon this question to differ with them; and the ugliest, Mr. President, have fallen from the lips of those who but a little time ago were members of the Republican party. Do Senators think because we differ from them that we care less for liberty than they do? Do they think because they do not agree with the policy of the Republican party that they have warrant for denouncing the members of that party and its leadership as being insensible to honor, indifferent to perfidy, controlled by unworthy motives? Do those Senators who a little time ago went out from the party think that all the patriotism, all the love of liberty, all reverence for the Declaration of Independence, all loyalty to the Constitution departed with them?

The Senator from Colorado [Mr. PATTERSON] entertained the Senate yesterday with a speech which, rhetorically, was to be admired. With a portion of his argument I do not disagree; but that Senator saw fit to make an attack upon Governor Taft, who has been testifying before the committee of which the Senator is a member, and to charge him with willful misrepresentation of facts before the committee and with slandering the Filipino people.

Mr. PATTERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Certainly.

Mr. PATTERSON. I think that statement of the honorable Senator from Wisconsin is a little too broad. I did not charge him with the willful misrepresentation of facts. I did call attention, Mr. President, to statements of facts made by the War Department, and then to his own, and I did say that there was a clash between them, and that it was the War Department against Governor Taft, and that in his statements to the committee he had indicted the entire people of the Philippine Islands for everything that was ignominious and disgraceful.

Mr. SPOONER. Ah, Mr. President, the Senator has forgotten what he said. He said the statements in the document from the War Department conflicted with the statements of Governor Taft before the committee, and that Governor Taft had a motive for misrepresentation.

Mr. PATTERSON. I said there was a motive.

Mr. SPOONER. A motive for misrepresentation.

Mr. PATTERSON. Yes, sir.

Mr. SPOONER. Because he appeared as the advocate of the imperialistic policy of the Government.

Mr. PATTERSON. That is a correct statement of what I said.

Mr. SPOONER. Yes; to say that that did not charge Governor

Taft with willfully misrepresenting the facts and slandering the Filipino people is evasive.

Governor Taft needs no defense from me. He misrepresented nothing. I have known him many years, Mr. President. I have the profoundest respect and admiration for him, for his great ability, for his patriotism, for his attractive personality. Governor Taft went to the Philippine Islands not because he wished to, not because he desired to rule a people. He went in a spirit of self-sacrifice. He resigned a position which was for life upon the Federal bench in the line of his profession, to which he is devoted. He went there at the request of President McKinley. He went there reluctantly, and only because it was represented to him that by going, by making the sacrifice—and it is in many respects a sacrifice to him—he could do good in this exigency. There is no man more entitled to confidence for ability, patriotism, integrity, and accuracy of statement than Governor Taft.

But what made me particularly deplore the Senator's utterance was not his imputation upon Governor Taft. That takes care of itself. It was the absolutely malign possibility which it contained of doing harm over yonder. Governor Taft is to return there. He is to resume his position as civil governor. He is to take up the work which he laid down when he left there. He is to meet again the Filipino people. He is to go forward in the attempt to win their confidence. Did the Senator realize that his utterance would tend to create a prejudice upon the part of the Filipino people against Governor Taft, to obstruct his efforts and the efforts of the Commission by sending back word to the Philippines that in a public place here he had traduced that people and vilified them?

Mr. PATTERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Certainly.

Mr. PATTERSON. I hope the Senator does not claim because Governor Taft is to return to the Philippines, and because he holds the relations to the Philippine people which he does, that therefore criticisms of his statements and criticisms upon his attitude toward the Philippine people, as that attitude is made clear by his own statements and the reports of departments of this Government, should not be indulged in.

Mr. SPOONER. What a Senator will indulge in in this Chamber, Mr. President, is for him to decide. If he thinks it proper to deliver utterances here which elsewhere can not fail to be obstructive and harmful, it is for him to decide.

The Senator from Colorado went further and declared that there are 6,000,000 Christians in the Philippines. "Christians"—"Christians," he said, and that it was his opinion that if those 6,000,000 Christians were Baptists, Methodists, and Presbyterians, the people of the United States would have risen long ago in protest and suppression of the outrages and the cruelties which have been perpetrated upon those 6,000,000 Christians over there.

Mr. PATTERSON. Mr. President, that is not a correct statement.

Mr. SPOONER. I am willing to be corrected.

Mr. PATTERSON. I said the Baptists and the Methodists and the Presbyterians and other denominations, if the Filipinos were Christians who had been taught their Christianity in the sanctu-

aries of those churches, would have risen almost as one man and one woman to protest against the shooting down of members of their churches in order that they may be brought under subjugation to the people of this country. I did not say the people; I said the members.

Mr. SPOONER. Did the Senator mean to send word to the Filipinos—the 6,000,000 Christians—that the Christian people of the United States, not of their particular sect, cared nothing for outrage, oppression, cruelty, tyranny imposed in the Philippines upon Catholic Christians?

Mr. PATTERSON. That is not what I said.

Mr. SPOONER. Did the Senator mean to give to them over there that impression? If my voice could be heard there in answer to his observation, I should say to them, "That is a slander of the Protestant Christian people of the United States. Do not believe it." I would say to them, Mr. President—

Mr. PATTERSON. May I ask the Senator from Wisconsin a question?

Mr. SPOONER. Certainly.

Mr. PATTERSON. Is it your opinion that if the Filipinos were Methodist and Presbyterian and Baptist Christians the Methodists and Presbyterians and Baptists of the United States would permit, without protest, the subjugation of those people by fire and sword and cannon and all of the other cruelties that are connected with the war of subjugation?

Mr. SPOONER. If that were not my opinion, I would not have begun the utterance of the sentence which the Senator interrupted. The Senator dealt with the Christian sects of the United States. There is no religious division in our polity. In this country every man and woman is at liberty to worship God as he or she chooses. Church and state are separated, and in all this land there has not been found success to any body of our people who sought to create divisions among us along lines of religion. It has been attempted, but the public opinion of the United States would not permit it, and every effort in a little time has fallen under the ban of that public opinion. There has been not much of protest from the Methodists, the Episcopalians, the Presbyterians, or the Catholics of the United States against the policy pursued in the Philippines; and all I cared to note was this—and I did not for one moment think the Senator intended it—that it is very harmful, as I think it entirely unfounded, to send forth from this Chamber to the people of the Philippine Archipelago the suggestion that the Christian sects of the United States care less for their safety, care less for their liberty, care less for their rights because they are Catholics. There is no such prejudice.

Mr. PATTERSON. Just one word, lest there may be some misunderstanding. I am not myself a Catholic.

Mr. SPOONER. I do not care for that.

Mr. PATTERSON. I and mine, so far as they go back, have been members of an orthodox Protestant church.

Mr. SPOONER. I do not care for that.

The Senator from Maryland [Mr. WELLINGTON] said the other day, and that is true, that the Philippine problem is one of the fruits of the war with Spain. He said that the war with Spain was unnecessary; that we could have averted that war. I have no doubt he thinks so. I do not think so. I spend but a moment upon that topic. No man charged with public duty was ever in

the world more reluctant to engage his country in a war than was President McKinley. He waited and waited and waited, Mr. President, and negotiated, sometimes amid taunt and insult and charges impeaching his motives, to exhaust the resources of diplomacy in order to avert a war with Spain. I thought once that but for the destruction of the *Maine* it might have been averted. I do not now believe it. It came. That fact never can be recalled. It is useless to discuss it. It was carried forward, on land and sea, to successful issue, and out of it resulted the treaty of Paris.

Some Senators seem now to take a very different view of the treaty of Paris from that which operated upon them when it was pending in this Chamber. It was ratified, Mr. President. That can not be recalled. The Senator from Maryland voted to ratify it. That can not be recalled.

Mr. WELLINGTON. I agree with the Senator from Wisconsin, if he will permit me.

Mr. SPOONER. Certainly.

Mr. WELLINGTON. I rarely ever interrupt, and I do not like to interrupt him now. I agree with him that it can not be recalled. And I go further. I would give very much, I would to-day give ten years of my life to recall the vote that I gave upon the ratification of that treaty. I want to go further and say again, as I have said before, that the promises which were made to me upon that occasion were broken by the Administration, and if I could now recall my vote I would do so.

Mr. SPOONER. The Senator from Maryland was sent by his great Commonwealth to represent her in part in this Chamber. The function of a Senator in advising and consenting to the ratification of a treaty is independent, under the Constitution, of the Executive who negotiates it. Whether the Senator from Maryland may properly resort to conversations with one who no longer lives to give his version is for that Senator to decide.

Mr. WELLINGTON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. SPOONER. Certainly.

Mr. WELLINGTON. I merely desire to state that I now say nothing of the late President of the United States that I did not say when he was living. I make no accusations against the dead that I would not make if he were living and in the Presidential office to-day.

Mr. SPOONER. Mr. President, the Senator from Maryland must have known that when territory is acquired by the United States, there is but one power under our Constitution which can define the public policy in regard to it, which can dispose of it either absolutely or qualifiedly, and that is the Congress of the United States.

Mr. WELLINGTON. Mr. President, once more. I shall not interrupt the Senator again. If he contends that that is the doctrine, that territory once acquired can not be given away or alienated by any other power than the Congress of the United States, how does it come that a part of our northern possessions, without any action of Congress, without any treaty, was alienated to England by the *modus vivendi*?

Mr. SPOONER. It was not. That is the way it comes.

Mr. WELLINGTON. It was not?

Mr. SPOONER. No; it was not.

Mr. WELLINGTON. Does not England hold it to-day?

Mr. SPOONER. That is a temporary arrangement—a *modus vivendi*.

Mr. WELLINGTON. Yes; but England holds it to-day.

Mr. SPOONER. But my proposition was this: That the Senator knew, or if he did not know he ought to have known, that the Congress alone is authorized to dispose of territory of the United States, or in an instance the President and the Senate, perhaps.

Mr. WELLINGTON. I knew, or thought I knew that, though the events which have transpired since then have changed my opinion. But the fact remains, nevertheless, that American territory has been alienated—that American citizens have been given up to the tender mercies of the British constabulary up in that part of territory which had never been claimed by England until it came into the possession of the United States of America.

Mr. SPOONER. The Senator knows that it has not been alienated; that it was absolutely impossible by any such method to alienate it; and he knows further that the President of the United States has no power to alienate territory of the United States, and that a promise that he would, or that he would control a policy as to the alienation of territory, would be usurpatory and the outgrowth of mere ignorance.

Mr. WELLINGTON. Will the Senator allow me? Unquestionably that is the law, but the events which have occurred since the beginning of the Spanish war have brought about an entire reversal of the policy which existed previous to that time, and the Executive to-day seems to rule not only the Executive Department, but whatever be the opinions of the House of Representatives, by some influence, when the time comes, they reverse themselves, and it has been done in the Senate also; so there remains nothing in the United States of America concerning any question of this kind, except the will of the Executive.

Mr. FAIRBANKS. Will the Senator from Wisconsin allow me for a moment?

Mr. SPOONER. Certainly.

Mr. FAIRBANKS. I wish to state that I am somewhat familiar with the subject to which the Senator from Maryland refers, and that the Senator from Wisconsin is absolutely correct in his statement. There was a zone of disputed territory in the district of Alaska, and in order to avoid conflict between American miners and British miners a temporary line between the two countries was agreed upon. It was but temporary. There was no suggestion or thought that it should be permanent.

Mr. WELLINGTON. Mr. President—

Mr. SPOONER. I hope the Senator from Maryland will allow me to proceed. That is a collateral matter anyway.

Mr. WELLINGTON. Mr. President—

The PRESIDENT pro tempore. The Senator from Wisconsin declines to yield.

Mr. WELLINGTON. Do I understand that the Senator from Wisconsin declines to yield?

Mr. SPOONER. If the Senator wishes—

Mr. WELLINGTON. I wish to ask the Senator from Indiana a question.

Mr. SPOONER. Very well.

The PRESIDENT pro tempore. The Senator from Wisconsin yields to the Senator from Maryland.

Mr. WELLINGTON. I do not wish to do anything that is discourteous—

Mr. SPOONER. I know that.

Mr. WELLINGTON. Especially not so far as concerns the Senator from Wisconsin. But I desire to ask the Senator from Indiana whether or not it is true that the boundary line in dispute came into dispute after the United States of America became possessed of Alaska by the purchase from Russia, and whether the stones marking the line had not been set there and been there for almost a century, and England had not made any claim of sovereignty whatever, but that by this *modus vivendi*, by this secret transaction, we, the American people, by our Administration, surrendered the right, gave up those lines of demarcation as they were set by the stones for a century, and surrendered our people to the British constabulary?

Mr. SPOONER. If this were a court, I should move to strike that out as being irrelevant.

Mr. WELLINGTON. I desire to say to the Senator from Wisconsin that he would have to move to strike out half of the proceedings of the Senate if the rule as to irrelevancy prevailed here.

Mr. FAIRBANKS. Just a word. The Senator from Maryland is utterly and absolutely mistaken as to the situation in Alaska. There never have been any stone monuments erected, recently or remotely. There has been a popular report to the effect that stone monuments have been erected, but the boundary line never has been surveyed and no monuments have ever been erected. If the Senator from Maryland is as much in error as to the Philippines as he is with respect to the condition in Alaska, he is far away from the truth.

Mr. SPOONER. I think he is.

Mr. WELLINGTON. Mr. President—

Mr. SPOONER. If the Senator will allow me to proceed, I want to get through—

Mr. WELLINGTON. I will allow the Senator to proceed in one moment.

The PRESIDENT pro tempore. The Senator from Wisconsin declines to yield.

Mr. WELLINGTON. I will have an opportunity at some time to vindicate my position.

Mr. SPOONER. Certainly. Now, Mr. President—

Mr. WELLINGTON. I can not be shut off in that way.

Mr. SPOONER. When this treaty was sent to the Senate the question was presented whether we would accept a cession of the Philippine Archipelago or reject it. It was entirely in the power of the United States Senate to do either the one or the other. And when we voted upon the treaty, let it be not forgotten, that our troops were involved in battle with the troops of Aguinaldo, and with the Senate put upon notice that war was involved possibly out of this transaction, the Senate voted upon the treaty. It was carried by a single vote; but, Mr. President, the truth of history is that it could not have been carried without Democratic votes, and that the distinguished leader of the Democracy of that day, if not of this, came here and labored with those of his faith to vote for the treaty, to vote to take that responsibility upon the country,

and I believe it will be admitted that but for his interposition that treaty would not have been ratified in the form in which it was ratified.

Upon the consideration of that treaty every phase of this question which has since been mooted, except possibly one, was presented to the Senate and voted upon. There were Senators in this body who thought that we should amend the treaty so as to deal with the Philippines as under the treaty we were to deal with Cuba. The Senator from Missouri [Mr. VEST], a veteran in the public service, one of the most brilliant men I have ever known, offered an amendment to the treaty to strike out in the article ceding the Philippine Archipelago the words "cedes to the United States" and insert in lieu thereof "relinquishes all claim of sovereignty over and title to the Philippine Archipelago," and to amend further as follows:

Add at the end of Article III the following:

"The United States, desiring that the people of the archipelago shall be enabled to establish a form of free government suitable to their condition, and securing the rights of life, liberty, and property, and the preservation of order and equal rights therein, assumes for the time being and to the end aforesaid the control of the archipelago so far as such control shall be needful for the purposes above stated, and will provide that the privileges accorded to Spain by Article IV and V of this treaty shall be enjoyed."

In line 2 of Article VIII, after the word "Cuba," insert the words "and in the Philippine Archipelago."

In line 3 of the same article, after the word "Indies," insert "and."

In lines 3 and 4 of the same article strike out the words "and in the Philippine Archipelago."

In Article IX strike out lines 171, 172, 173.

In line 2 of Article XIII, after the word "Cuba," insert the words "the Philippines."

In line 3 of the same article strike out the words "the Philippines."

How many times have we heard, Mr. President, from the Democratic rostrum since that day a demand that the Philippines should be treated as we agreed to treat Cuba? A vote was taken upon that precise question, upon the amendments offered by the Senator from Missouri—yeas 30, nays 53, as follows:

The proposed amendments were considered together; and

Those who voted in the affirmative are:

Messrs. Bacon, Bate, Berry, Caffrey, Chilton, Clay, Cockrell, Daniel, Gorman, Hale, Heitfeld, Hoar, Jones of Arkansas, Jones of Nevada, Kenney, McLaurin, Martin, Mills, Mitchell, Money, Murphy, Pasco, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner, and Vest.

Those who voted in the negative are:

Messrs. Aldrich, Allen, Allison, Baker, Burrows, Butler, Carter, Chandler, Clark, Cullom, Davis, Deboe, Elkins, Fairbanks, Faulkner, Foraker, Frye, Gallinger, Gear, Gray, Hanna, Hansbrough, Harris, Hawley, Kyle, Lindsay, Lodge, McBride, McEnery, McMillan, Mantle, Mason, Morgan, Nelson, Penrose, Perkins, Pettus, Platt of Connecticut, Platt of New York, Pritchard, Quay, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Sullivan, Teller, Thurston, Warren, Wellington, and Wolcott.

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Certainly.

Mr. TELLER. I did vote against it, Mr. President. I had stated at least twice in open Senate and repeatedly in executive session that I was for applying the same rule to the Philippine Islands that we were to apply to Cuba. I did not then think it was necessary to put any pledges in that treaty. I knew to do so would continue technically the state of war for several months, and I was assured by the Senator from Wisconsin and all of his associates that we would certainly do the just and righteous

thing by those people when the treaty was ratified. I am waiting, Mr. President, to see them keep that pledge and make it good.

Mr. SPOONER. Did the Senator vote against the Vest amendment upon any promise of mine as to what the future policy of the Government would be in the Philippines?

Mr. TELLER. Oh, no, Mr. President; I voted against the Vest amendment on the ground that it was not good law, and I say now it was not good law.

Mr. SPOONER. I think I have heard the Senator say since that we ought to treat the Philippines as we treated Cuba.

Mr. TELLER. Mr. President, if the Senator will allow me—

Mr. SPOONER. Certainly.

Mr. TELLER. I still insist that both our interest and our duty require us to do that.

Mr. SPOONER. The Senator had views upon this question before the treaty was sent to the Senate. A gentleman has sent me a copy of a speech made by the Senator before the Silver Republican State convention at Colorado Springs September 8, 1898, in which he took occasion to deal with this subject. Whether it is accurate or not of course I do not know.

Mr. TELLER. The Senator can read it, and I can tell him.

Mr. SPOONER. Of course I do not undertake to say that it is accurate, but it was in harmony with the views which I understood the Senator to entertain when we voted upon the treaty. The Senator in that speech said:

The greater question is, What shall we do with the Asiatic Islands? We did not contemplate that when the war began. I have found that there had been a worse condition for two hundred years in the Philippine Islands than there had been in Cuba; that there had been the wickedest government that ever afflicted the human race.

Now, you can not return the islands to Spain. I said in the Senate that any party that proposed that would go out of power and remain out for a generation. It is too cowardly. It is too wicked. You can not do it.

Then, what are we going to do with them? Are we going to peddle them out? Are we going to say to the countries of the world: "We are incapable of maintaining colonies; we doubt our ability to maintain good government there. Will you take them and see what you can do with them?" Do you think we will ever say that? They are on our hands.

Mr. TELLER. Did the Senator say "peddle them out?"

Mr. SPOONER. "Peddle them out." It appears here as I read it.

Mr. TELLER. I have not any doubt but that it is accurate. It is practically what I said in the Senate. The Senator can find in my speeches in the Senate almost verbatim what I said there.

Mr. SPOONER. Yes.

There is an obligation upon us. That obligation is to see that those people have a good government, and if they are capable of participating in it to take them in and give them the rights that we enjoyed here when we were denied some of the rights of American citizenship. Make Territories out of them. We need not make States of them. If they should ever become affiliated with us and so assimilated with us that we can make States of them, we will make States of them.

You can depend upon the American people to do the right thing at the right time. You need not be afraid that we will take them in before they are ready or that we will keep them out after they are ready to come in.

I believe, myself, that we have reached the point in American history when the American Union is to take its place among the great nations of the world, and I do not believe that, as a nation, we can escape the responsibility that God puts upon us as a great nation any more than I can escape the responsibility that is put upon me as a man. We are to be as a great family of the nations of the world.

These islands are in the line of the great commerce of the world. They are worth millions to us.

I never thought of that. In dealing with the Philippine question I never thought of trade. I was surprised when I read this speech, remembering the speech which the Senator delivered here a few days ago, that the value of those islands to us in dollars had ever entered into his consideration, and that we could hold them without any disadvantage to us.

Mr. TELLER. I will just enter a denial of that. I did not say in my speech that that never had entered into my calculations.

Mr. SPOONER. No; I did not say that you did.

Mr. TELLER. You say that I said so there?

Mr. SPOONER. Oh, no. Do you say that this was not in your speech?

Mr. TELLER. No. Did you say that I said the other day in my speech the idea of the commercial value of the islands had never entered into my mind?

Mr. SPOONER. No; because you said they would never be of commercial value.

Mr. TELLER. I said under the conditions now existing, with their hostility, they never could be of any value.

Mr. SPOONER. Of course they could not be of any value if they are to always be in insurrection.

Mr. TELLER. When the Senator finishes the reading, I will tell him if there are any errors in there.

Mr. SPOONER. I would not do the Senator any injustice. This is in harmony with what I thought was the Senator's position at the time.

Mr. TELLER. Go on with the reading.

Mr. SPOONER (reading)—

and we can hold them without any disadvantage to us. We can hold them so they will be a glory to us and a glory to the people over whom we extend our flag and our republican institutions. I am one of those who believe that a republic is better than a monarchy. I believe the voice of 100,000,000 of men is better than the voice of one, and I have faith in the American people, in their intelligence, in their integrity, in their ability, and I am willing to trust these great problems to them—

The Senator has changed. He was willing then to trust these great problems to the American people. To-day he seems not to be—

and I say we shall make no mistake if we say to them, "We have put our flag here, we have buried our dead, and by the Eternal the flag shall stay while the Union lives."

That is all.

Mr. TELLER. Mr. President, if the Senator had taken the pains to read the speech that I made on the 20th day of December, 1898, he would have found that I repeated practically that in the Senate.

Now, the Senator says that I am not willing to trust the American people. I am willing to trust them. I am not willing to trust them as represented by the present organization of political parties. I have never changed my views on this question. I voted for the treaty. In executive session and in open session I declared that we could trust the American people to deal righteously with those people. They were then asking us to grant a protectorate over them.

I said, and I repeated it, and I am not afraid now to say it, there is no trouble, legally or otherwise, in my judgment, in the American people maintaining a colony. The question is, How shall you maintain it? What shall be the rights of the colonists? If you had given to them, as I said there, what they had given us—

a Territorial government—and, Mr. President, if you had done that in 1898, we would not have had any war.

If the Senator desires to question my attitude now, he had better turn to the RECORD, and he had better turn to his own record when he encouraged us, who were told by his associates on the other side of the Chamber that you could trust the Republican party to do justice. We said you could. Mr. President, I thought you could. I believe eventually you will yet. I believe the American people will eventually see that justice is done to those people.

I do not say, Mr. President, that any injustice would have been done to them by maintaining our flag there if they wanted it there, which they did want and which they professed to want when I made those speeches, and which they would want now if we would give them such a government as we ought to give them.

Mr. SPOONER. It is a strange thing, but it is a fact almost universally true, that the moment a man leaves a political party with which he has long been associated he discovers that it is utterly bad.

Mr. CARMACK. After he discovers it is utterly bad, then he leaves it.

Mr. SPOONER. Well, if he remains in it until it is utterly bad he is as bad as it, and would not save himself by leaving it. I do not mean to apply this to the Senator from Colorado [Mr. TELLER].

Mr. TELLER. I ask the Senator to allow me to interrupt him long enough to say that I will not enter into any discussion of the propriety of my leaving the Republican party. I left it because I differed with its members on great economic questions. Up to that time I had no reason to suppose that upon great questions affecting the rights of mankind, and affecting the interests of all the American people and 10,000,000 of other people, I should be divergent from their views.

Mr. SPOONER. I understand that the Senator left the party because of his difference in regard to the money question, and I was very sorry to have him leave, for one, for I have always had great admiration for his ability and great friendship for him personally, as I always expect to have.

Mr. President, I have shown that there was a vote *in limine* in the Senate, participated in by my friend from Colorado, against amending this treaty so that the United States should sustain the same relation to the Philippines that we sustained by the treaty to Cuba. The vote to ratify the treaty without amendment was 57 to 27, as follows:

Those who voted in the affirmative are:

Messrs. Aldrich, Allen, Allison, Baker, Burrows, Butler, Carter, Chandler, Clark, Clay, Cullom, Davis, Deboe, Elkins, Fairbanks, Faulkner, Foraker, Frye, Gallinger, Gear, Gray, Hanna, Hansbrough, Harris, Hawley, Jones of Nevada, Kenney, Kyle, Lindsay, Lodge, McBride, McEnery, McLaurin, McMillan, Mantle, Mason, Morgan, Nelson, Penrose, Perkins, Pettus, Platt of Connecticut, Platt of New York, Fritchard, Quay, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Sullivan, Teller, Thurston, Warren, Wellington, and Wolcott.

Those who voted in the negative are:

Messrs. Bacon, Bate, Berry, Caffery, Chilton, Cockrell, Daniel, Gorman, Hale, Heitfeld, Hoar, Jones of Arkansas, Mallory, Martin, Mills, Mitchell, Money, Murphy, Pasco, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner, and Vest.

The pairs were as follows:

Mr. Cannon and Mr. Proctor with Mr. White.

Mr. Wetmore and Mr. Wilson with Mr. Turpie.

And at that time, Mr. President, those people, if they ever have been, were protesting, not orally simply, but with guns in

their hands and by attack upon our troops against American sovereignty in those islands.

Mr. TELLER. Mr. President, may I interrupt the Senator again?

Mr. SPOONER. Certainly.

Mr. TELLER. It is true the telegraph had brought us a statement of some trouble. We did not know what that trouble was, and naturally, I think, it aroused the American spirit. I do not myself think that there was any inconsistency in a man who wanted to apply the principles which I had declared I wanted to apply to the Philippines in voting for the treaty. I wanted to take them away from Spain. I wanted them where the American nation could deal with them of right, which it could do; and I had every right to suppose, not only from the past history of this country, but from the pledges made here that there would be no trouble at all such as we have since found.

Mr. SPOONER. Mr. President, that is not all of the record. The Senator from Louisiana [Mr. McENERY] introduced the following resolution:

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

To that the Senator from Massachusetts [Mr. HOAR], who has been consistent, offered this amendment:

On motion by Mr. HOAR to amend the resolution by inserting after the word "islands," where it appears the third time, the words "with the consent of the people thereof."

And that was voted upon; a proposition to declare then the policy of the United States, the treaty having been ratified, as to the future of the Philippine Archipelago.

Mr. ALDRICH moved to lay that amendment upon the table. This was the 6th of February. The votes in favor of laying it upon the table were 45; those against 34, as follows:

Those who voted in the affirmative are:

Messrs. Aldrich, Allison, Baker, Burrows, Carter, Chandler, Clark, Cullom, Davis, Deboe, Elkins, Fairbanks, Foraker, Frye, Gallinger, Gear, Gray, Hanna, Hansbrough, Hawley, Kenney, Lindsay, Lodge, McBride, McEnery, McMillan, Mantle, Morgan, Nelson, Penrose, Pettus, Platt of Connecticut, Platt of New York, Pritchard, Quay, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Teller, Thurston, Warren, Wolcott.

Those who voted in the negative are:

Messrs. Allen, Bacon, Bate, Berry, Butler, Caffery, Chilton, Clay, Cockrell, Daniel, Gorman, Hale, Harris, Heitfeld, Hoar, Jones of Arkansas, Jones of Nevada, McLaurin, Martin, Mason, Mills, Mitchell, Money, Murphy, Perkins, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner, Vest, Wellington.

So the amendment was laid on the table.

There was the precise proposition proposed by the Senator from Massachusetts, whether we should say by declaration, hostilities just having begun, that it was our purpose to establish in said islands, "*with the consent of the people thereof*," a government, and there is the vote. That amendment was laid on the table. That is not all, either.

The Senator from Massachusetts [Mr. HOAR] offered another amendment, which was to insert, after the words "United States" where they appear the second time, the words "or to force a gov-

ernment on them against their will." The country will see that all this was presented to the Senate in that hour, and here is the vote upon it. Although some of the Senators who voted upon it have changed, the record has not changed, nor can it change, and the responsibility for all that has occurred, Mr. President, as it will appear, is easily located, and out of that, I think, grows a duty.

Mr. ALDRICH moved to lay that amendment on the table, and it was laid on the table—yeas 46, nays 30. The vote was as follows:

Those who voted in the affirmative are:

Messrs. Aldrich, Allen, Allison, Baker, Burrows, Butler, Carter, Chandler, Clark, Cullom, Davis, Deboe, Elkins, Fairbanks, Foraker, Frye, Gallinger, Gear, Gray, Hanna, Hansbrough, Hawley, Kenney, Lindsay, Lodge, McBride, McEnery, McMillan, Mantle, Morgan, Nelson, Penrose, Pettus, Platt of Connecticut, Platt of New York, Pritchard, Quay, Ross, Sewell, Simon, Spooner, Stewart, Teller, Thurston, Warren, Wolcott.

Those who voted in the negative are:

Messrs. Bacon, Bate, Berry, Caffery, Clay, Cockrell, Gorman, Hale, Harris, Heitfeld, Hoar, Jones of Arkansas, Jones of Nevada, McLaurin, Martin, Mason, Mills, Mitchell, Money, Murphy, Perkins, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner, Vest, Wellington.

So the amendment was laid on the table.

If there ever was a time, Mr. President, when that declaration would have brought peace and made peace in the Philippines, it was then, before even an exchange of ratifications. But it could not have done it, in my opinion.

That was not all, either. The Senator from Georgia [Mr. BACON], with whom as to this matter I do not entirely agree, but whose attitude from the beginning in this Chamber upon it has been different, in my judgment, from that of some members of his party, offered this amendment to the McEnery resolution:

Resolved further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled, in the judgment of the Government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

The Senate upon that was evenly divided.

Mr. BACON. What was the vote?

Mr. SPOONER. The vote was 29 to 29, as follows:

Those who voted in the affirmative are:

Messrs. Bacon, Bate, Berry, Caffery, Chilton, Clay, Cockrell, Faulkner, Gorman, Gray, Hale, Harris, Heitfeld, Hoar, Jones of Arkansas, Jones of Nevada, Lindsay, McLaurin, Martin, Money, Murphy, Perkins, Pettigrew, Pettus, Quay, Rawlins, Smith, Tillman, Turner.

Those who voted in the negative are:

Messrs. Allison, Burrows, Carter, Chandler, Deboe, Fairbanks, Frye, Gear, Hanna, Hawley, Kyle, Lodge, McBride, McEnery, McMillan, Mantle, Morgan, Nelson, Penrose, Platt of Connecticut, Platt of New York, Pritchard, Ross, Shoup, Simon, Stewart, Teller, Warren, Wolcott.

The Senate being evenly divided.

The Vice-President voted in the negative.

So the amendment was not agreed to.

Mr. LODGE. It was lost.

Mr. SPOONER. It was lost, I mean, by the casting vote of the Vice-President.

Mr. LODGE. It was lost any way.

Mr. SPOONER. Yes; it was lost.

Mr. HOAR. Will the Senator pardon me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. SPOONER. Certainly.

Mr. HOAR. I do not want to interrupt the Senator on some mere trifle, but nothing is ever lost in the Senate by the casting vote of the Vice-President.

Mr. SPOONER. That is true.

Mr. HOAR. It was lost because it had not the majority.

Mr. SPOONER. It was lost without his vote, and a little more lost with it.

The resolution proposed by Mr. McENERY then passed by a vote of 26 to 22, as follows:

Those who voted in the affirmative are,

Messrs. Allison, Burrows, Chandler, Deboe, Fairbanks, Faulkner, Frye, Gear, Gray, Hale, Hanna, Harris, Kyle, Lodge, McENERY, McLaurin, McMillan, Mantle, Mason, Nelson, Perkins, Pettus, Platt of New York, Quay, Sullivan, Teller.

Those who voted in the negative are,

Messrs. Bacon, Bate, Caffery, Carter, Clay, Cockrell, Hawley, Hoar, Lindsay, McBride, Martin, Money, Morgan, Murphy, Pettigrew, Platt of Connecticut, Rawlins, Ross, Simon, Smith, Stewart, Warren.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. I will yield, but I hope the Senator will not interrupt me long, for I am anxious to get through.

Mr. PATTERSON. It is not with anything that I will say.

While the Senator from Wisconsin is arraying records, I want to call his attention to a statement made by himself on the 2d day of February, 1899, about four days before the ratification of the treaty, if the Senator will permit me to call attention to it.

Mr. SPOONER. Certainly.

Mr. PATTERSON. The Senator from Wisconsin then said:

I am a commercial expansionist. I believe in building up the trade of the United States. I am in favor of an interoceanic canal, not only for the purposes of national defense, but for its benefit to the trade of the future. I am in favor of acquiring naval stations all over the world where the interests of this Government would be subserved thereby—resting places for our commerce. I am in favor of lines of cable connection in every conceivable direction where they would promote the interests of the United States.

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work under labor conditions of necessity which we would not permit to exist in the United States.

Mr. SPOONER. Is the Senator going to read the whole speech?

Mr. PATTERSON. It will not do justice to the Senator unless I finish this important part of it.

The PRESIDING OFFICER. Does the Senator from Wisconsin decline to yield further?

Mr. SPOONER. Oh, no; I like that.

Mr. PATTERSON. The Senator from Wisconsin continued:

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again. Where we raise it we will permit no other power on earth to haul it down, but with us it may be as honorable to haul it down as it was to raise it. It was hauled down in Mexico when hostilities ended there. If we had sent our fleet across the sea to the peninsula of Spain and captured Barcelona, raising our flag above it, it would not have been there to stay; we would have hauled it

down. To-day it floats in Cuba; the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked Maine at Habana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds. I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

It is insisted that we must have permanent territorial expansion in order to extend our trade. Mr. President, I do not think so. I have been strongly inclined to think that in the long run, with all the embarrassments and complications and dangers it will bring upon our people, it will retard rather than develop the foreign trade of the United States. We have been growing rapidly in our trade without territorial expansion. To acquire distant, non-assimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world.

Mr. SPOONER. I know the Senator likes that, and so do I.

Mr. PATTERSON. I will read further from the Senator's speech. He continued as follows:

And we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I think, Mr. President, the trade of the world will go where its interest leads it in the long run, and the best avant courier of civilization is a merchant ship, carrying the products of civilization and teaching the wants of civilization.

Permanent domain over the Philippines by the United States as a part of this country means to me an endless and vast burden upon the industries of our people.

Mr. SPOONER. The Senator from Colorado—

Mr. PATTERSON. I just thought this might go into the RECORD at this time.

Mr. SPOONER. Of course it will go into the RECORD. The Senator from Colorado has not been here long, but he has been here long enough to acquire the very worst habit we have here.

Mr. President, I uttered here what the Senator has read, and more in the same line, which the Senator has not read.

Mr. PATTERSON. That is true.

Mr. SPOONER. And I have never changed in any way my attitude upon that subject. I stated in that speech that I was reluctant to vote for the ratification of the treaty for the reasons read by the Senator from Colorado and for other reasons; that if the ratification of the treaty involved permanent dominion over the Philippines by the United States, I should vote against it; but I undertook to show—and it was in good faith, and I am of the same opinion now—looking at the various alternatives which presented themselves to the President, that, in honor and humanity, there was none other than to take the cession of the Philippine Archipelago. I attempted to controvert the proposition that we could sustain the same relations to the Philippines in which the treaty left us as to Cuba. I pointed out that the situation was so utterly different, that we were near to Cuba, that it was a small island, with only about a million and a half inhabitants, that when Spain left Cuba she *delivered to us the possession of Cuba*; but that the Philippine Islands were 7,000 miles away, that the possession of the Philippines by our troops was limited to Manila, and that we could not contract with Spain to occupy that territory without having the title and the sovereignty, a proposition which, in my judgment, no man can successfully challenge. From that day to this I have not changed.

I have united with Senators on the Democratic side here in meeting every duty as the hour made it clear. When Dewey

called for troops to occupy the city of Manila, no voice in this Chamber was heard in protest against it, although every Senator here knew Dewey needed no troops to defend his ships; that he had Manila under his guns; but, Mr. President, they knew that he wanted soldiers to occupy Manila.

Mr. TELLER. May I make a suggestion to the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes, sir.

Mr. TELLER. I wish to suggest to the Senator that we were at flagrant war with Spain when we voted those supplies.

Mr. SPOONER. That is true. I agree with the Senator from Washington [Mr. TURNER] that our occupation of Manila was in violation of the protocol, although the officers were not aware of its existence, and that in fact we held Manila in trust for Spain, to abide the result of negotiations and to protect life, liberty, and property in Manila; but, Mr. President—

Mr. TELLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes, sir.

Mr. TELLER. I do not want to break into the thread of the Senator's argument.

Mr. SPOONER. I am breaking into it myself.

Mr. TELLER. The Senator from Wisconsin has read the votes here, particularly the votes against the amendment offered by the senior Senator from Massachusetts [Mr. HOAR] and the vote on the resolution in the form of an amendment offered by the Senator from Georgia [Mr. BACON]. That is done, Mr. President, to make it appear that we are inconsistent; that we did not believe in the principles of the BACON resolution.

Mr. SPOONER. Mr. President—

Mr. TELLER. If the Senator will allow me for but a moment longer; it is not of much consequence whether I have changed my views or not, but at that time I took the explicit pains to say that I was in favor of the principles of the resolution of the Senator from Georgia but was not willing to complicate things by putting it on the treaty. I think the Senator ought to allow me to make that statement at least. I can read it if there is any question regarding it. At the same time and on the same day I explicitly declared that under no conditions did I want to annex those people or have any permanent dominion over them; that I agreed with the Senator, that my judgment was the same as his, that the way to get control of the matter, so that we might do justice to ourselves and justice to the Philippine people, was to ratify that treaty. I could not see how we could deal with them unless we did ratify the treaty, and then, of course, the whole subject would have been under our command.

I wish merely to read a few words from what I then said. I shall read but a sentence. I had suggested that I should vote against some other amendments that might be proposed, which I understood were to be offered, but I was told that there were no amendments to be made except those pending.

I was about to state that I should probably vote against some amendments which might express my views very largely. What I rose to say is that I shall vote for the joint resolution. I do not mean by that to be committed absolutely to any policy if conditions, when we come to act on this question, as we must act in the course of a year or so, should be very different from

what they are now or very different from what I hope they may be. I shall be governed, as I have a right to be, by the conditions and circumstances then presented. I shall regret very much if we can not carry out the principle of the joint resolution—

That is, the Cuban resolution—

And I declare for that, as I hope we may be able to do, and yet I shall not consider that I am inconsistent with that if conditions should require me to vote for a different plan of government or a different condition.

Mr. President, I spoke at some length on that occasion, but I have only read a few words of what I then said. I do not know but that it may be, and I suppose it is, a fair argument for the Senator to indulge in and charge us with inconsistency because we voted for the treaty which he voted for, and now, simply because we do not approve of the policy the Government has instituted since then, when it had no such policy at that time, and no man living had any reason to suppose that it would have.

Mr. SPOONER. Mr. President, what policy does the Senator refer to? What policy has been enforced except by the consent of the Congress, and where has there been a party division in Congress? The President of the United States repeatedly notified Congress that, until Congress adopted some different policy as to the Philippines, he should consider it his sworn duty to employ the troops there to enforce the sovereignty and obedience to the authority of the United States, and to bring about peace.

Mr. President, twice we voted troops without party division. What for? To enable the President to send additional forces to the Philippines until, all in all, we had there at one time 71,000 men. What for? Did Congress act upon those bills in ignorance of the policy of the President as to the utilization of those troops? There was fighting in the Philippines; there was an inadequacy of the American military forces there, and the Congress of the United States—not upon a party division either—furnished the troops by one bill up to 100,000 men—65,000 regular troops and 35,000 volunteers—and they were furnished for use in the Philippines.

What did Senators who voted for the Army bill do it for? They knew the troops were to be sent to the Philippines. Did they suppose they were going upon a pleasure trip? Did they suppose they were going for a sea voyage? Did they suppose they were going simply to look over the beauty and the richness of the Philippines? Every man who voted to place those soldiers at the command of the President knew what they were for and knew they were to be sent to the Philippines to fight. To fight whom? The Spaniards? No. To fight the Filipinos; to fight the insurrectionists, and they were employed for that purpose. How can any man who voted to give the President troops to be used in the Philippines complain of their use in legitimate ways? If they have committed outrages; if they have sullied the flag; if they have been turned into a band of bashi bazonks, that is open to criticism; but no man who thus voted has a right to impeach the Republican party or to launch tirades upon the President for using troops in the Philippines and carrying on the war in the Philippines to the bitter end, not to subjugate an independent people but to enforce the sovereignty and authority of the United States in territory acquired by the United States by a treaty negotiated by the President and ratified by the Senate and completed by the payment of money—\$20,000,000—voted by both Houses of Congress.

Mr. TELLER. Will the Senator permit me to say a word?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes, sir.

Mr. TELLER. I voted for that appropriation and I am going to vote for the next appropriation, and I stated the other day why I should vote for it. The party that is intrusted by the American people with the administration of public affairs have asked that, and in such a case I bow to the will of the American people so far that I will vote for what the Administration asks.

Mr. SPOONER. Ah, Mr. President, I think when the Senator voted to send troops to the Philippines to protect an inadequate force there, and to enforce the sovereignty of the United States in the Philippines, he did "bow to the will of the American people;" but no Senator who votes to send troops there can with any great consistency denounce the Government for using them. The Senator from Massachusetts [Mr. HOAR], who was opposed to the treaty, who was opposed to this whole business, differing from us, as he had a right to do, when that Army bill was before the Senate stated briefly the reasons why he could not on his conscience support it; but I know if the Senator had voted to send troops there to maintain our sovereignty, to enforce our authority there, if the troops had been properly employed—and they were sent there to fight—he would not have criticised either the Republican party or the Administration for using them for that purpose.

Mr. TELLER. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Well, yes.

Mr. TELLER. Does the Senator think, entertaining the views that we do, that we ought to have voted against the appropriation of money?

Mr. SPOONER. I do not say that.

Mr. TELLER. Then why does the Senator bring the accusation against us?

Mr. SPOONER. I do not say that, but I do say this, that if I had voted as a matter of patriotism, or because I believed the people demanded it, to give troops to the President to be sent to fight in the Philippines I never would complain because they were sent there, and I would not charge upon an Administration or upon a party bloodthirstiness, cruelty, conquest, for doing with the troops I had voted to raise what I knew would be done.

Mr. TELLER. Mr. President, will the Senator allow me to make a suggestion?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Certainly.

Mr. TELLER. We were in this condition: There was war; our troops were there; they went there rightfully; they went there when there was a state of war between the United States and Spain. The Administration asked us for an appropriation to maintain them. To have failed to have so voted—that is, if we had had the power to refuse the appropriation—the Army would have been left without food or supplies. I trust the Senator from Wisconsin can see the difference between failing to vote and sim-

ply reserving the right of criticism of the conduct of the Administration in a future time.

Mr. SPOONER. Oh, Mr. President, I admit the right of every man here, whether he voted for the troops or not, to criticise the conduct of the troops. All I say is this: I may be obtuse, but I can not see how a man who votes to send troops over there can complain because they fight after they reach there.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. I have been interrupted a great deal, but I do not want to deny the Senator.

Mr. CARMACK. I merely want to ask the Senator this question: If this country over his protest had entered into a war which he believed was an unjust and an unrighteous war, having entered into it, and the question came up of voting supplies for that war, would or would not the Senator vote to supply the troops who were in the field, although they were waging a war he believed to be an unjust and an unrighteous war?

Mr. SPOONER. I would say what I had to say when war was declared; but after the troops had taken the field, after a majority of the Congress, disagreeing with me, had voted for war, I would be for the war and for the Army to the end. I would not hover around the flank to carp and criticise and find fault and make false issues or aid in any way the men against whom the American soldiers were fighting.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. The Senator from Wisconsin has the floor. Does he yield to the Senator from Tennessee?

Mr. SPOONER. I yield.

Mr. CARMACK. One of my questions was this: If the Senator believed and conceived such a condition existing, that the war was unjust and unrighteous, and that it was to the interest and to the honor of the United States that the war should be suspended, still, if the majority against him were for continuing the war, would he vote for supplies for that war so long as it continued, still reserving to himself the right to demand, to urge, and to insist that the United States ought to discontinue the war as soon as it could?

Mr. SPOONER. Are you urging that the war should stop now?

Mr. CARMACK. I am.

Mr. SPOONER. That is, if troops were in the field fighting our troops, that our troops should be withdrawn?

Mr. CARMACK. I think we should do the thing that would put an end to the war instantly. That is what I think; and we are criticising the Government because it does not do that thing.

Mr. SPOONER. Yes.

Mr. CARMACK. We do not ask that the troops be withdrawn.

Mr. SPOONER. Mr. President—

Mr. HOAR. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. SPOONER. I yield.

Mr. HOAR. As the Senator from Wisconsin has done me the honor to allude to me, I wish he would allow me to state my position, which he has undertaken to state. It will take only a minute or two.

Mr. SPOONER. Very well.

Mr. HOAR. Mr. President, I do not believe and never did believe there was a war in the Philippines. You can not have a war in this country that is not declared by an act of Congress. What is being done, and has been done, is the use of the troops of the United States by Executive authority to keep order in what is claimed to be a part of our lawful territory.

When long after this treaty was ratified and had gone into effect, this Army bill came up for consideration, and there was a proposition to give the President the power of making the Army flexible, between sixty-five or seventy-five thousand men and a hundred thousand, to increase it or diminish it at his pleasure; thereupon the Senator from Georgia [Mr. BACON], representing, I suppose, his party, in the hearing of a full Senate, without any dissent from any quarter on his side, notified the Senate that they would support any measure providing for troops for that emergency, however long it might last. He asked my colleague [Mr. LODGE], who had in charge—or, at any rate, who was one of the leading advocates of the bill—whether he thought it would take one year, three years, or five years; and thereupon gave notice that they would accept his answer and would give the President troops for that length of time. The same question was put to the Senator from Ohio [Mr. FORAKER], I think, though I am not quite sure, or to some other Senator who had the floor on the Republican side, and to some Senator on the Appropriations Committee or the Military Committee. Three times that notice was given.

When we undertook to use the troops to suppress tumults in Louisiana and South Carolina, under the Chamberlain and Packard governments, the Democratic party refused to vote for the Army bill, and we did not have one, but at the next session—

Mr. TILLMAN. Mr. President—

Mr. HOAR. I am going to make this statement before I yield to anybody.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. HOAR. No; I am in the time of the Senator from Wisconsin, and I wish to complete this statement.

But when the next Congress came they put into the Army bill (and it was part of the condition) that the troops should not be used for what they regarded as an improper putting down of certain risings of those people. I do not say whether they were right or wrong.

They meant business then and they accomplished their business, and Packard and Chamberlain went out of power. I did not think they meant business when they said they would give troops to put down the resistance of the Philippine people under precisely similar circumstances. It was not war. It was putting down resistance, that is all, among a people subject, as they claim, to our sovereignty, and it was in regard to that that I did not mean to have my position misunderstood. I declared then, and I stand by that declaration now, that I would not vote for troops to put down the resistance of a people contending, and rightfully, for a republic they had established, though I was perfectly willing, as a peace measure, to give the President of the United States the power to make the Army flexible.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. TILLMAN. I do not want to disturb the Senator from Wisconsin, because I have sedulously avoided interrupting him to-day, and I expect to follow it. But I merely wish to correct the usually infallible Senator from Massachusetts. I mean infallible as far as his recollection of facts goes. The troops were used in South Carolina to uphold the Chamberlain government—

Mr. HOAR. That is what I say.

Mr. TILLMAN. There was a regiment of troops; but the Senator was in error in declaring that the Democrats in Congress prohibited that before they had been used. They were used there, and the use of troops at elections was such a crying evil that the Democratic majority, which came into the House with Mr. Hayes, put an amendment on the Army bill declaring that none of those troops should be used at elections.

Mr. HOAR. Yes; that they should not be used to sustain those governments.

Mr. TILLMAN. Those governments had tumbled to the ground and disappeared when that amendment was put on the Army bill.

Mr. HOAR. One point—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield the floor?

Mr. HOAR. I have but a sentence of four words. Before that amendment was put on the Army bill the Democratic party in the previous Congress, having the House, had refused to pass any Army bill at all. That is my point.

Mr. SPOONER. I have been almost from the beginning diverted from the line of argument which I intended to pursue, and I am anxious to be permitted to proceed with my speech, although I am ready to answer questions.

I intend to speak later and in a more appropriate place upon the responsibility of the minority for what has happened over there in relation to the Army. I have been drawn into inopportune comment upon that by interruptions. One thing is certain, if anything is certain, that we have a perfect title to the Philippine Archipelago. Spain ceded it to us, and, rightly or wrongly, we have reduced it to possession, so that we have the sovereignty and we have the title. There is, in my opinion, Mr. President, no taint of perfidy or invalidity in that title. I know Senators on the other side and, one or two perhaps upon this side, differ from me about that.

It has been said—and I will spend only a moment upon it—that Aguinaldo had prior to that treaty established an independent government over the Philippines. It has been said that we promised him, when he came to Manila to cooperate with Admiral Dewey, independence. The Senator from Washington [Mr. TURNER] claimed the former. The Senator from South Carolina [Mr. TILLMAN] and others claimed the latter. I do not intend to go into the evidence, but I do proclaim, without fear of successful contradiction, that there never were more baseless allegations.

It was charged that Consul Pratt promised him independence. Consul Pratt denied it in a cablegram to the Department. Afterwards it was published in Mr. Foreman's book that he had promised independence, and he filed a bill in the court at Hongkong or Singapore to restrain the publication of that book, swearing in his

bill that it was false and a libel upon him as an official. The injunction was granted, and in every subsequent edition of the book the correction was made by a fly-leaf at the beginning of the book. It was charged that Wildman promised Aguinaldo independence. Wildman denied it. It was charged that Dewey promised Aguinaldo independence. Dewey denied it.

On a former occasion I put before the Senate a captured document showing the proceedings of the junta at Hongkong, signed by Aguinaldo and all of his compatriots—if they were such—which clearly established the fact not only that no such promise was made, but that he did not go to Manila with the understanding that he was to have, or any government he might form there, was to have independence. I will refer to the document for only a moment. They had a meeting to determine whether Aguinaldo should go. This was after he had seen the consul. He did not want to, and these were the proceedings, and it never ought to be forgotten by the American people.

Mr. TILLMAN. What is the date of it?

Mr. SPOONER. I can not give the date at this moment, but it was before he went to Manila.

Notwithstanding the previous remarks, the president (Aguinaldo) insists that he considers it dangerous for him to go to the Philippines without a previous written agreement with the Admiral, since it may happen that if he places himself at his orders he may make him sign or seal a document containing proposals highly prejudicial to the interests of the fatherland, from which may arise the following grave disadvantages:

First.

Second. * * * These are the means, he thinks, which should be first employed to find out *certainly what are the intentions of the United States in regard to that country.* * * *

They were then talking among themselves. If he had received any promise of independence from Admiral Dewey or from officials of the United States, I think he would have stated it to his conferees on that occasion. After other speeches this was said by Sandico:

The authority to treat, which the president thinks of giving to the other chiefs, without reflecting at all upon their personal deserts, they do not believe can be as effective as his personal attention to the matter, to such serious affairs as those which are the subject of discussion. There will be no better occasion than the present for the expeditionary forces to land on those islands and to *arm themselves at the expense of the Americans* and assure the attainment of our legitimate aspirations *against those very people.*

The Filipino people, unprovided with arms, will be the victim of the demands and exactions of the United States, but provided with arms will be able to oppose themselves to them and struggle for their independence, in which consists the true happiness of the Philippines.

After referring to the "prestige which he (Aguinaldo) acquired in the last rebellion," it proceeds:

Once the president in the Philippines, with his prestige he will be able to arouse those masses to *combat the demands of the United States* if they colonize that country, and will drive them, the Filipinos, if circumstances render it necessary, to a Titanic struggle for their independence, even if later they should succumb to the weight of the yoke of a new oppressor.

The minutes of that meeting—and they were all printed long ago by the Senate—are signed by Aguinaldo and every one of the junta in Hongkong, including Sandico and others who accompanied Aguinaldo to Manila. It is perfectly apparent from this statement that he went there without any pledge, at least he communicated none to his associates, and that the scheme was to obtain arms from Admiral Dewey, and then to use those arms

against the United States if occasion required it. Under date 4th January, 1899, Mabini, president of the cabinet and chief adviser of Aguinaldo, wrote:

The chief of the Philippine people *has not made* any agreement with the Government of the United States, but inspired by the same idea of destroying the sovereignty of Spain in these islands they have mutually assisted each other.

That is not all, Mr. President. He reached Manila on the 20th of May. I read in the Senate, at the time I made the speech from which I read, a cipher letter from Aguinaldo—at least I contended it was from Aguinaldo—which the Senator from Washington attempts to sneer out of the RECORD.

General Anderson has stated, and you will find it in the records, that in July, shortly after he reached there, he suspected Aguinaldo of being in treaty with the Spaniards in Manila. I read—and I stop to call attention to it only for the purpose of making a single comment—a letter dated October 25, found among the captured records; and there are a great many papers among the captured records which throw a strong light on this and other phases of the Philippine insurrection. It is addressed to General Rios, in which Aguinaldo, if he wrote this letter, refers to a letter he had written a few days after he reached Manila to General Augustin, in command of Manila, making a proposition to him to surrender Manila to him. I have no doubt it is the same proposition that was made in this letter to General Rios, in command of Iloilo, in which he calls upon him to surrender his troops to Aguinaldo instead of to us, in order that *they might be combined to be used against the forces of the United States*. This letter was signed "1-1-9-6-1-M." It is marked "private;" headed "Revolutional government of the Filipines, office of the president." The army officers certify that it is written on the paper then in use in that office, and that "M" is the cipher for "Miong," which means Emilio.

The Senator from Washington discredits it. He asks why should he have written it in cipher? They greatly employ cipher. That is a characteristic of the Oriental. It is very patent among the papers which have been captured from them. Moreover, some one wrote it *from his office*, wrote it to an officer of the Spaniards, from whom he, Aguinaldo, above all other things just then, desired a surrender of Iloilo to him and not to us. The paper itself expresses the obvious desire of Aguinaldo. It is impossible to suppose that some clerk in the office wrote it. It is impossible to suppose that anyone other than Aguinaldo wrote it, and there is at the end of it this language, which strongly indicates that he wrote it; and all the army officers believe he wrote it:

This is all that I can say to you at present, and I hope that you will tell me that you agree with me, and then I shall be able to present this to *my government* and obtain from it an agreement to *what I have written as a private individual*.

This purports to have been written by a *public official* as an *unofficial act* to be followed, if agreed to, by official action.

Mr. President, it is perfectly evident that for a long time before the ratification of the treaty Aguinaldo contemplated an attack upon our Army. As far back as August 17, 1898, Mabini wrote a letter to Buencamino, in which, referring to us, he said:

The conflict is coming sooner or later and we will gain nothing by asking favors of them which in reality are our rights, but shall maintain them as long as we are able to, confiding in justice and Providence.

Moreover, I have among these papers a cablegram from London, from the head of the junta there, dated the 3d of February, in which he advises that probably the treaty will be ratified and suggests an attack upon the American troops "the moment the treaty is ratified." In addition to that, he suggests the purchase of some effective torpedoes, "which would serve to repeat in the Bay of Manila the scene in that of Habana, which would serve to give a fortunate termination to our struggle." Not only that, but I have here the order of Aguinaldo, signed on the 9th day of January, issued to the people of Manila *on the same day on which he was writing to General Otis, sending commissioners to treat for some arrangement to avert hostilities, expressing himself as deeming peace a necessity.* He wrote this order. I will not take the time to read it, because interruptions have caused me to consume already too much time, but it will be very interesting reading to the American people, and it shows beyond cavil that the hostilities which preceded immediately the ratification of the treaty were predetermined by Aguinaldo. For what purpose it is easy to imagine. But I can not go into all that. (See Appendix A.)

The Senator from Washington [Mr. TURNER] says that an insurrection was in progress when Aguinaldo left Hongkong. He had stated that he had surrendered all the rifles under the terms of the treaty of Biaknabato. He wrote to General Anderson that he came from Hongkong *to prevent his people from joining the Spaniards and attacking the Americans.* He was very depressed after he issued his proclamation declaring himself dictator, because so few of his people rallied around him. When they did in larger degree he moved along through the country taking Tagalog provinces. There is evidence, and abundance of it, that there was a strong sentiment in certain portions of the island against Aguinaldo's attempt to form a government and in favor of recognizing the sovereignty of the United States. A private letter from A. Sandico, found open in the papers of the insurgent government, says:

When the Americans came I was actuated by the love of the country to form clubs and committees *to combat the annexation sentiment in Manila.* At the given moment, moved by the desire of independence of the country, I do the same thing *to stem the current of desire for autonomy which comes from Manila.*

It is certain, that in a proclamation issued by Aguinaldo August 6, 1898, to foreign governments, he said:

The said revolution now rules in the provinces of Cavite, Batangas, Mindoro, Tayabas, Laguna, Morong, Bulacan, Bataan, Pampanga, Nueva Ecija, Tarlac, Pangasinan, Union, Infanta, Zambales, and it holds besieged the capital of Manila.

Professor Worcester says of this statement:

In other words, he claimed to control the *Tagalog* provinces, and practically nothing more.

The consolidated cash book of the insurgent government, showing the sums received as contributions of war and as war taxes from various districts and provinces for the period from May 31, 1898, to February 28, 1899, shows that his tax collections and contributions were limited to provinces containing about three million and a half people out of the eight or ten million who inhabit the archipelago. His government evidently did not maintain law and order even where he was in control. Moreover, it has a double aspect. The external aspect was one thing, the internal

another. He made a particular effort from the beginning to prevent outrages upon foreigners, and to give the inference from that of a well-ordered domestic sway. Cooperating with him were certainly some very able and skillful men, both at home and abroad. Under date Paris, June 23, 1899, Agoncillo cabled to the Hongkong junta:

* * * Observe strictly international law as applying to public and to private rights, including its precepts covering persons and property of *neutral foreigners*, avoiding the slightest cause for complaint on their part, in order to avoid destroying the favorable aspect in which we are fortunately now regarded by them. I think it important that our government should *constantly* send to all our commanders circulars charging them to treat with respect the persons and property of foreigners (not Yankees), and ordering the most rigid observance of the laws of war, publishing such circulars in the vicinity and sending them to all the consuls in Manila, and to use for publication in the press everywhere.

And this admonition was literally and liberally obeyed.

I have among these papers a report to him from an Army officer as to three towns, in which he says "these towns must be reconquered. It can only be done by taking five lives in each town." That meant by assassinating five prominent men in each town.

Mr. HOAR. Will the Senator from Wisconsin pardon me?

Mr. SPOONER. Certainly.

Mr. HOAR. I hold in my hand General Anderson's statement on that precise subject, in which he says:

We held Manila and Cavite. The rest of the island was held not by the Spaniards, but by the Filipinos. On the other island the Spaniards were confined to two or three fortified towns.

That is General Anderson's statement, and he was the military commander of our troops.

Mr. SPOONER. That was General Anderson's opinion.

Mr. HOAR. He was commander in chief.

Mr. SPOONER. Most of the Spanish troops were then drawn into Manila.

Mr. HOAR. Yes.

Mr. SPOONER. And Aguinaldo, of course, with men who were armed, could take control of Luzon. But there never was a time, so far as I can ascertain, when the Ilocanos, some of the people in North Luzon, the Moros, the Igorrotes, and a large number of people of those islands, and part of the Visayans, ever acknowledged the jurisdiction of Aguinaldo.

Mr. HOAR. If the Senator was speaking about the distribution of power, I suppose when General Anderson says "held by the Filipinos" he means the inhabitants in general. He is not speaking of any particular authority. I should not have interrupted the Senator if I had understood that to be his meaning.

Mr. SPOONER. The truth is, and this paper shows it, that among the Ilocanos, in the north of Luzon, he collected \$1.50 a head. He did it by force. He did it against their protest, as is evidenced by the fact that in Cavite Province, in those provinces of Luzon where his retainers gathered around him, he collected but 5 cents a head. He did not have a government which at any time could preserve law and order or which did.

But the treatment by Aguinaldo's government of the people over whom by force in large part he maintained sway was very different, as I will show in a few moments. To say that there was a government in fact, in the sense of law, established by Aguinaldo in the few months intervening between our capture of

Manila and the ratification of this treaty is absurd, in my judgment.

Yet on the 12th of June, 1898, he proclaimed the independence of the *inhabitants of the Philippine Archipelago*. Aguinaldo ought to know better than anyone else the extent of his alleged control August 6, 1898. He never proclaimed the independence of Luzon, nor did he ever assume to establish the Republic of Luzon. He always embraced the full archipelago.

It has been said, and I want to refer to it for a moment, that we had no power to acquire that sovereignty which we have acquired, and which the Supreme Court, in the opinion of Chief Justice Fuller, said we have acquired. He says:

We must decline to assume that the Government wishes thus to disparage the title of the United States or to place itself in the position of waging a war of conquest.

That was in answer to the contention that the situation in the Philippines in its legal relation to us differed from that of Porto Rico. The court say, and five judges concur in this opinion:

The sovereignty of Spain over the Philippines and possession under claim of title had existed for a long series of years prior to the war with the United States. The fact that there were insurrections against her or that uncivilized tribes may have defied her will did not affect the validity of her title. She granted the islands to the United States, and the grantee, in accepting them, took nothing less than the whole grant.

If those in insurrection against Spain continued in insurrection against the United States the legal title and possession of the latter remained unaffected.

From the time the protocol was signed there was peace, or the suspension of hostilities, between us and the Government of Spain. We were in honor bound to employ no military force against the Spaniards or the subjects of Spain in the Philippines.

Aguinaldo was not our ally in the legal or moral sense of the word, because there was no Philippine political entity which could be an ally. He and his associates perhaps had been auxiliaries of ours. If he had been an ally of ours, he would have been bound by the protocol to abstain during that interregnum from operations against the Spanish Government.

After the treaty was entered into, the Spanish Government permitted the withdrawal of her troops from Iloilo, and Aguinaldo, with no one to oppose him, neither Spaniard nor American, for we were confined to Manila, sent armed men into the different provinces, took possession of the various towns, and attempted to bring them under his exactions. That that constituted the erection of an independent government which in law or in morals we ought to have recognized is as empty a contention as anything to which I have ever listened in my life.

Senators say that the Government of the United States, in accepting this sovereignty and this title, violated the Declaration of Independence. I deny it. To say that we could not take as indemnity at the end of war inhabited territory is to impeach the action of this Government hitherto when the Democratic party had control of it. We took California from Mexico. We did not consult the inhabitants. By purchase we took Louisiana. We did not consult the inhabitants. We took Hawaii. We did not consult the inhabitants. By a coup d'état a government had been formed there called a republic. It had adopted a constitution. That constitution prescribed the qualification and the oath. No native Hawaiian was permitted under that constitution to vote on its adoption unless he took the oath of allegiance to that

Republic. That constitution contained a provision for ceding Hawaii to the United States. When the time came, a protest of native Hawaiians was filed here against that annexation, unless coupled with statehood.

When the resolution under which we annexed Hawaii was pending here, the Senator from Georgia [Mr. BACON], going behind the mere technical status and dealing with what he claimed to be the inalienable moral right, offered an amendment to provide a plebiscite which would give the natives there—the men who were born there, the people who loved that island, whose home it had been—a right to vote upon the question of annexation. That was voted down in the Senate and, without consultation with them, without any compliance with the condition which they sought to ingraft upon the proposition, they were annexed.

That is not all, Mr. President. I mentioned once before long ago in the Senate, in connection with this contention that we violated the Declaration of Independence, which we all love and venerate, that we by this same treaty took, without protest upon the part of anybody here, then or now, a million people who inhabit Porto Rico. We did not ask their consent. It is true they did not antagonize us with arms; but if there is anything at all in this doctrine it involves that they should not be taken without their consent being asked and obtained.

But, Mr. President, while it is true as an abstract proposition, true as a basis for revolution, that government derives its just powers from the consent of the governed, it has never been applied to the acquisition, so far as I remember, of inhabited territory at the end of a successful war. It has never found any place in the international law of the world, and the moment it does that moment (and for that reason it never has and never will, probably) the power of a government at the end of a successful war to demand and accept inhabited territory is gone. At the time the Declaration of Independence was adopted this was true, that never since the dawn of civilization had independent governments engaged in war consulted the people of the territory which they conquered or of territory which they demanded as indemnity for the expense of the war, any more than we did in the case of California. It is no answer to say that these populations were small. Fifty thousand people are entitled as much to protection in the enjoyment of rights conferred by the Almighty as 5,000,000.

Mr. President, it never was intended by the men who framed the Declaration of Independence that the Government of the United States should not possess all of the faculties which appertain to the independent governments of the earth. In their *Declaration* they said this:

We, therefore, the Representatives of the United States of America in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

That is, may lawfully do. They intended to create a government the equal in governmental powers, not only at home, but in

international relation, of any government that ever existed. It will be an unhappy day, I think, Mr. President, if this doctrine that a government at the end of a successful war can take no inhabited territory without the consent of the inhabitants shall be adopted.

One of the restraints which has operated upon governments against engaging in war was the fear of losing portions of their domain, and if it once be established in the world that no government can take territory as indemnity, if inhabited, unless the inhabitants consent to it, that moral restriction upon war will be eliminated.

I do not believe, Mr. President, that the people of the United States are willing to agree that this Government, when engaged in war, shall be less vigorous in power than the other governments of the earth. I have never feared war with Great Britain. It would be an unspeakable calamity for every reason. We want war with no country. We are wedded to the arts of peace and averse to war. But I have always thought, Mr. President, that a hostage for all the future for peace between us and Great Britain, whatever might come of disagreement, is the great domain over which Great Britain has sovereignty, extending from ocean to ocean. Do you think that the people of the United States would be willing to enter into an agreement that, if by any unhappy chance there should, some time in the distant future, come war between Great Britain and the United States, the end of that war would leave the British Possessions and Canada still the property of Great Britain? Is it to be supposed that the people of the United States would be willing to have it understood that in such an untoward event she would hold herself and her Government disabled by the Declaration of Independence to occupy and to keep the territory to the northward of us? I think not.

Now, Mr. President, Senators taunt us with the duration of hostilities in the Philippine Archipelago and infer from it that we can never bring pacification to those islands, and that the people there will never accept the sovereignty of the United States and enable us to establish a government there. The war, or I might better say, the hostilities, have lasted in the Philippines very much longer than any of us at the outset expected. All of us have regretted them. I never shall cease to regret that Aguinaldo did not heed the letter of General Otis, informing him that he had instructions not to attack his army, and appealing to him to wait until the treaty was ratified and until the Congress, which has the power under the Constitution, could define the policy which was to be pursued toward the Philippine Archipelago. But he would not wait, and the war—because it was war in the end, not in the technical sense—came upon us.

It does not lie, I think, in the mouths of Democratic Senators here to charge upon the Republican party responsibility for the duration of hostilities in the Philippines. I stand here to say, Mr. President—I say it regretfully, I say it with no spirit of unkindness in my heart—that in the main, in my judgment, the responsibility for the duration of this struggle in the Philippine Archipelago is upon the minority party in this country.

There never was, in my judgment, a wickeder thing than the prostitution of that situation to party purposes. Right or wrong, we had acquired the Philippine Archipelago. We had furnished an Army to the President. He had informed us that he would

employ that Army to enforce the sovereignty of the United States and obedience to its authority in that archipelago. Then there was projected for party purposes a false and malign political issue in the United States, which did not fail and could not fail to prolong the insurrection at a great cost to the people of the United States not only in dollars, but in lives.

Had there been any proposition made in Congress which rendered it a necessity to make that issue? Had there been any proposition made in Congress leading to what was called imperialism? That matter had been held open, as it is open to-day. No action had been proposed which was to tie the hands of the American Congress and shackle the American people.

And yet Mr. Bryan, an extraordinarily brilliant man, of wonderful personal magnetism, the leader of his party, proceeded, with his associates, to make the political issue of "imperialism," assuming that the Republican party, its Administration, led by President McKinley, would, unless prevented by this issue, commit this Government to colonialism or imperialism.

I say it was a fictitious issue.

From that time out, Mr. President, we heard about the American Government buying people at so much a head; of purchasing mere sovereignty. The United States acquired by that treaty 73,000,000 acres of land in the Philippine Archipelago, 5,000,000 acres only in private ownership, 68,000,000 acres the title to which was in Spain, and passed to us by the cession.

We heard everywhere of our attempted enslavement of the Filipinos, of our violation of the Declaration of Independence, of our attempt to adopt the tyranny and oppression of monarchical governments of the Old World. The changes were rung upon it from one end of the country to the other, from the beginning to the end.

There could be but one effect of it. It was the same, I have always thought, as the effect of the opposition to President Lincoln in his effort to maintain the integrity of the Federal Union. It tended to raise false hopes in those who struggled against the Federal forces. It encouraged a prolongation of insurrection. It made them think that a prolongation of their struggle, followed by the election of Mr. Bryan, meant independence. I can not tell, no one can tell, how long ago but for that the Philippines might have been pacified. We can not know how many millions of dollars and how many lives this unfortunate attitude cost the country, but that it cost many millions and many lives is certainly true.

That was not only the natural effect, Mr. President; it was the actual effect, and there is abundant evidence of it. I have some captured documents from there.

Here is a letter, dated Paris, June 23, 1899, from Agoncillo, the Filipino who was at the Arlington Hotel in this city as the representative of Aguinaldo when hostilities broke out—that is, he was there the day before—but when we learned of the hostilities he had learned before they occurred and betaken himself to Canada. This gentleman says:

Foment the actions of the Democratic party in the United States, which defends our independence. I am doing this in every way it seems fitting to me.

Here is the translation of a cablegram, sent in cipher, received from Paris on August 31, 1899. I read but a line of it:

Triumph of Bryan for the Presidency is triumph of our cause.

Mr. ALLISON. Where was that sent?

Mr. SPOONER. That was sent out to the junta at Hongkong. I have here an extract from a letter of Aguinaldo, on the 2d of August, 1900, to Isidoro Torres, an insurgent general:

Can you perchance tolerate the sale of our liberty and independence for thirty cheap pieces of silver, which is what is offered by the famous and deceitful amnesty of General MacArthur. [Note.—This undoubtedly relates to the money paid for arms, paid and turned over by the insurgents.] And do you know, perchance, what is the true motive of that publication, when it is nothing but the desire of McKinley's Government to stop this war until October next and to be able to show to the whole world, especially to the honorable people of the United States, that we are already pacified or subjugated, and thus to insure the reelection of President McKinley? Understand it well that the end of October is the time allowed the present government by those honorable people of North America to finish this war, and if it does not accomplish it the said Government or imperialistic party will be defeated and then will come the recognition of our independence.

Here is a copy of a letter or order from Aguinaldo to Lieutenant-Colonel Bubb, June 27, 1900:

Filippine republic—Filipino army—General campaign—No. 202.

As I have in previous letters directed that all commanders of guerrillas are free to attack any detachment or post of the enemy and continually molest the same, I reiterate the order the more strongly because its fulfillment just now is very necessary—

Just now—

for the advantage of the cause of independence of the Philippines in the approaching Presidential election in the United States of America, which takes place in the early part of the coming month of September of the present year, on account of which it is imperative that before that day comes—that is to say, during the months of June, July, and August—we give such hard knocks to the Americans that they will resound in our favor in all parts and set in motion the fall of the imperialist party, which is trying to enslave us.

General Mascardo issued a proclamation to his comrades in arms and fellow-patriots, in which, after referring to the war in China, and to the refusal of Congress to appropriate money needed to continue the war in the Philippines, and of the people to give new volunteers, he said:

McKinley falls by the wayside. The people abandon him and incline to the political party of Mr. Bryan, whose fundamental teachings is the recognition of our independence. In view of this critical situation of McKinley, he has sent here a Commission with the infamous purpose of deceiving us with false offerings, solely to get out of us the greatest possible advantages, as a trader does to obtain the greatest returns. If we accept these offerings and peace is declared in the archipelago, McKinley will triumph—will be re-elected—and his reelection will be the hour of our undoing and terrible misfortune. If, then, we desire our independence, let us for a little while longer put forth heroic deeds of arms, etc.

They had been told from so many rostrums that we were trying to enslave them, to syndicate their islands, and to perpetrate every conceivable outrage upon them that they were ready perhaps to believe it. At any rate, they were led to believe that if they would only hold out until October Mr. Bryan could be elected and they would receive their independence—the strongest possible motive to induce them to continue. It is no wonder that Aguinaldo told his men to redouble their hostilities, to shoot down more American soldiers, to ambush more of our boys over there.

That was not intended, of course, and I have never charged that upon any of our friends here at home, although there were men here who sent letters over there encouraging the Filipinos and denouncing our attempt to bring about peace as piracy; but it was the blind greed for political power which made good men forget for the nonce the safety of the Army and the interest of the people;

for, Mr. President, this thing is true: That when our soldiers are at the front facing a foe, no matter where or who, they are there not because they choose, but they are there under orders, and every patriotic impulse of good citizenship demands, I think that people and parties shall withhold a course of action which subjects them to added danger, and which brings distress to them in proportion as it gives encouragement to the enemy. This question of imperialism was not here then; it is not here now, and it is not to be here, Mr. President, I think.

It has been said by the Senator from Colorado that 95 per cent of the Filipinos are hostile to the United States.

Mr. TELLER. And I am afraid that is true.

Mr. SPOONER. I know the Senator was sincere in what he said, but I am not afraid it is true, I do not believe it is true. I know this to be a fact from the records which I have here: That in the beginning there was a large element among the Tagalos in favor of accepting the sovereignty of the United States, and the congress of the first government of Aguinaldo—such as it was, although they were appointed by him and not chosen by the people whom they claimed to represent—declared in favor of accepting the autonomy offered by the Schurman Commission. They were overruled by what was called the war party; but I find—and there is overwhelming evidence of it—that, as military operations proceeded there were in different parts of the islands strong declarations in favor of accepting American sovereignty. Aguinaldo, when the Taft Commission went there, sent by the President, felt obliged to issue an appeal urging the people of the archipelago not to accept the proffers of self-government made by the Taft Commission, and that alone was not adequate to hold his forces together. Other officials did the same. Why these appeals if there was no sentiment for peace and American sovereignty? *Appeals* were not sufficient, and then came *orders* of the harshest kind, involving deeds of cruelty and a system of terrorism.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Yes, sir.

Mr. CARMACK. I should like to ask the Senator from Wisconsin what he says to the statement of General MacArthur that the opposition of the people of the Philippine Islands to the United States was practically unanimous, and could not be accounted for on the ground of terrorism; and what does the Senator further say in reply to the statement of the three native members of the Philippine Commission, that the whole people were practically unanimous in their hostility to the American Government, and that they continued to be so after their armies were dispersed and when all hope of success in battle had been abandoned?

Mr. SPOONER. Well, Mr. President, I find among my papers a letter from Teodoro Sandico, saying that it was impossible for him to hold certain military organizations together and to prevent them from accepting the sovereignty of the United States. I have here some papers from which I will read this order, which was issued in September, 1900:

[Center of central Luzon, general order of September, 1900.]

In conformity with my general order of last July, in which all were declared to be *traitors* who should favor or accept positions from the pretended

American civil government, and taking into account the fact that to be a voter or to be elected it is required that the oath of allegiance to the United States be taken, by doing which everyone makes himself an American subject de facto; and considering that the laws of war allow the confiscation of the property of traitors and that the precedent has been established by the army of occupation to confiscate for its own use the goods of some Filipino subjects, even though they may not have taken up arms against them,

Using the powers conferred upon me, I order and command:

First. Whosoever holding an official position or may have contributed materially to the establishment of the pretended American civil government in the territory of my command upon being caught shall be punished either by a fine of not less than \$100 or by *death*, according to circumstances, after summary trial, such crime being the more aggravated when committed by the intelligent. * * *

Why was that order issued if there was not a sentiment there among the people in favor of accepting the sovereignty and the government proffered by the Taft Commission?

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Yes.

Mr. CARMACK. General MacArthur in his report says that, to some extent, that sentiment might be accounted for by terrorism, but that it was perfectly evident—I give the substance of the statement only—it was perfectly evident that the whole people, or a large majority of them, were in sympathy with the insurrection.

He said, furthermore, that in towns which were absolutely in possession of the American forces, absolutely controlled by the American troops, towns which had been under the control of the American authorities, the people continued to give aid to the insurrection just as much as they did in other towns that were not in possession of the American forces.

Mr. SPOONER. When was that statement made?

Mr. CARMACK. It was made in General MacArthur's report.

Mr. TILLMAN. On the 4th of July last.

Mr. SPOONER. General MacArthur made that statement, but that is not all the statement that General MacArthur made. There is part of General MacArthur's statement which indicates a different opinion. The Senator calls attention to what he quoted from the statement of the native commissioners. The Senator read this:

In view of the greatly disturbed condition of the country after the 4th day of February, 1899, it was not easy to foresee when a political party could be formed, and it appeared impossible to arrange a peace proposition which would induce the Filipinos to acknowledge American sovereignty. A policy of government based principally upon the most absurd intolerance which had obtained in the Philippines for more than three centuries, until the arrival of the Americans, has established in the minds of the Filipinos the deep-rooted conviction that an alien sovereignty could come with no other object in view than an iniquitous exploitation and that it could be maintained by no other means than a selfish and absorbing government founded upon civil intolerance, religious mediævalism, and inexorable military power—the triple alliance which the previous government relied on.

The successes of the Union Army in the war convinced the Filipinos that there was a superior force which would annihilate them; but these successes could not prevent the people—bleeding and without strength—from tenaciously continuing a suicidal struggle to escape the new slavery which they so greatly feared, even though it were at the cost of death.

That is what the Senator from Tennessee read from this Appendix A. That was a clear case, I think, with due deference to the Senator, of the *suppressio veri*. It is a fair illustration, if it goes

out by itself, of the old adage that there is no falsehood so dangerous as a truth half told. Here is what they say:

It was necessary, in order to secure peace, to patiently and confidently await the time when facts would prove to the Filipinos the error of their judgment. The lesson taught by experience was long and, unfortunately, at the cost of the ruin of the country and the loss of a large number of human lives.

Certain abuses committed by men representing authority among the Filipinos and the unsettled conditions and injustice that prevailed in their territory showed the impossibility of the organization of an independent government. The triumph of the American arms made them realize that the accusation of cowardice brought against the Americans and generally disseminated throughout the country during Spanish rule was an absurd slander, and, finally, the conduct of the Americans after their victories showed them that their acts did not reveal cruel and wicked men, as had been affirmed by the Spanish military, civil, and ecclesiastical authorities in official documents.

Of the principal civil chieftains of the insurrection some voluntarily surrendered—

The Senator did not read that—

while others were captured by the forces of the Union. Some of the generals were already in Manila and had acknowledged the sovereignty of the United States. This circumstance favored the work done with the purpose of convincing the people that peace was an absolute necessity and that it would be the origin and beginning of a period of justice during which the cause of liberty would attain those rights which it would be impossible ever to acquire by the force of arms.

That is from the same document, but the Senator did not read that.

The people in arms received the advice which was sent them by their friends in the city with the most profound contempt, supposing it to have been dictated and inspired by fear, under the threats of the authorities. The civil and military commanders who surrendered or sought the protection of American sovereignty had, upon their arrival in Manila, an opportunity of communicating directly with the members of the Commission and of observing in person that the state of affairs was actually far different from what they had supposed when in the field. They themselves wrote to those who persisted in their hostile attitude, informing them of the true situation. Little by little they so convinced their friends and comrades that they, too, began to return to the towns, and there was spread throughout the country, if not an absolute confidence in, at least a more favorable idea of, the Americans and less mistrust of their policy.

* * * * *

The first demonstration of material importance made by the party was held when the Civil Commission made a trip through the provinces of Pampanga, Tarlac, and Pangasinan, where, due to the unity of purpose of the party, a large group of persons, representing the most distinguished elements of those provinces, for the first time made a public expression of their sympathy, confidence, and adherence to the sovereignty of the United States. Such demonstrations were of great value, for, besides revealing in the Philippines a new sentiment, they served to convince the rest of the Filipinos that it was already possible, without endangering life, to express allegiance to the new sovereignty. Terror had reigned in those very provinces until a short time prior hereto, because natives who had shown they were partisans of the Americans and who expressed their ideas in public were cruelly assassinated in their own homes or kidnapped with their families, to be sacrificed in a manner as cruel as it was barbarous.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. For a moment only.

Mr. CARMACK. Well, Mr. President, if I can not have time enough to defend myself from the attack which the Senator has made, I prefer not to interrupt him at all.

Mr. SPOONER. If the Senator thinks that I made an attack, he can take the time.

Mr. CARMACK. Mr. President, the Senator charged that I made a very partial and incomplete statement, and coupled that with the assertion that no falsehood was so dangerous—

Mr. SPOONER. I did not impute falsehood to the Senator from Tennessee.

Mr. CARMACK. I do not understand what the Senator could have meant, unless he did mean that.

Mr. SPOONER. What I meant was that reading a part of a report and not the rest of it did not convey the truth to the people. I did not charge the Senator with falsehood, and could not do so.

Mr. CARMACK. Very well; I accept the Senator's disclaimer. But what I want to say is that in my remarks, in which I quoted that particular point, I was first answering the argument which had been made that we were not attempting from the beginning to force upon the people of the Philippine Islands a government without their consent; and I quoted that from the report of the Philippine Commission as showing, from their own evidence, that the whole people of the Philippine Islands were against the establishment of American rule at the time we began to force our Government upon them. I did not allude in my remarks to what the Senator has subsequently read, but I alluded to something which he did not read, and that was as to the manner and the method by which the people of the Philippine Islands, or a certain portion of them, had been induced to accept American rule; that was by holding out to them through the Federal party, organized by three members of the Philippine Commission, with the sanction and consent of the whole Commission, the hope of admission to statehood in the American Union.

Mr. SPOONER. Mr. President, I will comment on that in a few moments. I find before me the paper to which I referred a little while ago, tending to show that in 1900 there were towns there which Aguinaldo could not control. Here is that paper:

MY RESPECTED CHIEF AND DEAR BROTHER: I have received your respected order regarding the organization of the "comite"—

That means committee—

in the towns of Zaragosa, Aliaga, and Licab. From the movements and actions of these towns I don't believe it possible to organize immediately. Before we can it will be necessary that four or five lives be taken in each town. I believe that what ought to be done to those towns is to make a new conquest of them, especially the town of San Juan de Guimba. It is difficult there to set straight the Tagalos and Ilocanos of importance, as they are badly inclined and they care to do nothing but pervert our soldiers.

This is what I am able to inform you in fulfillment of the respected order of the chief.

God guard you many years.
San Cristobal, August 3, 1900.

C. GONZALES.

Oh, Mr. President, it is a long story. There is no question at all about the effect of the attitude of the Democracy in this country upon this subject in the past and now in obstructing the United States in the pacification of those islands and in bringing to that people the benefits and blessings which you and we most earnestly pray they shall be permitted to receive. I read here an extract, sir, a year ago, of a letter from General Lawton, which was challenged; the authenticity of it was denied. I had no power then to establish its authenticity, but I have the orig-

inal letter now, Mr. President, in my hand. He sleeps over in Arlington. Dead, he yet speaks to us in a solemn way this day:

[Personal.]

HEADQUARTERS FIRST DIVISION, EIGHTH ARMY CORPS,
Manila, P. I., October 6, 1899.

Hon. JOHN BARRETT,

Ex-Minister to Siam, Review of Reviews, New York City.

MY DEAR SIR: Your letter, with proofs of your able article for the Review of Reviews, duly reached me. I thank you for them. I handed them to some of the officers to read, and they have not yet returned them, or I have mislaid them, so that I am not quite sure of your address. Think your letter was headed "The Waldorf," but will send this care of the Review of Reviews. As I may be leaving Manila any day and am very busy, will answer without further delay. I appreciate the importance of your suggestions and questions and regret I have not time to discuss them more fully.

This article is like your others—the best matter that is being published in America on the Philippines and Asia. Your errors were a few minor ones of dates, names, and places. Things were a little slow at first, but words were put into my mouth which I never said. I agree with you that mistakes have been made here—

That is undoubtedly true. That is incidental to all military operations on a large scale—

but I would to God that the whole truth of this whole Philippine situation could be known by everyone in America. I wish our people could know it as I know it and as you know it, for I regard you as the best informed and most impartial authority on all these Asiatic questions, and I think the President made a mistake in not naming you a member of the Philippine Commission.

I agree that if the real facts in connection with the history, inspiration, and conditions of this insurrection, and the hostile influences, local and external, such as the Catipunan and juntas, that now encourage the enemy, as well as the actual possibilities of these Philippine Islands and peoples and their relations to this great East—which you have set forth so ably—could be understood at home in America, we would hear no more political talk of unjust "shooting of government" into the Filipinos or unwise threats of hauling down our flag in the Philippines.

You are right. Some of us have modified our views since we first came; and if these so-called anti-imperialists of Boston would honestly ascertain the truth on the ground here and not in distant America, they, whom I dislike to believe to be other than honest men misinformed, would be convinced of the error of their exaggerated statements and conclusions and of the cruel and unfortunate effect of their publications here.

It is kind of you to caution me about exposure under fire, but if I am shot by a Filipino bullet it might as well come from one of my own men. These are strong words; and yet I say them because I know from my own observations, confirmed by stories of captured Filipino prisoners, that the continuance of fighting is chiefly due to reports that are sent out from America and circulated among these ignorant natives by the leaders, who know better.

This letter, which, of course, is strictly personal, does not answer all your questions, but it is a long one for me, as I want to encourage you in your labors to make the truth known. Hope I shall see you out here soon in some high civil position. We soldiers need practical men like you to help us. Thanking you again for your kind words in praise of my humble efforts, I am,

Yours, very truly,

H. W. LAWTON.

The complimentary words to Mr. Barrett contained in this letter made him very reluctant to publish the whole letter, so he used the extract which contains the expression of General Lawton upon the particular subject at a New England banquet, but it has been challenged, and I want to set at rest the authenticity of this letter, and therefore I produce it.

Mr. TILLMAN. Is that the original?

Mr. SPOONER. Yes, sir. With it is this postscript:

P. S.—Will try to find and inclose copies of the orders and list you spoke of.

H. W. L.

Appended to it, Mr. President, is this indorsement:

LOUISVILLE, KY., February 17, 1902.

Having carefully read and examined the foregoing letter (comprising its three original typewritten pages), signed and addressed by my husband, Gen. H. W. Lawton, United States Army, at Manila, P. I., October 6, 1899, to Hon. John Barrett, New York City, I unhesitatingly pronounce the sentiments and signature thereof absolutely genuine and authentic in every respect.

MARY C. LAWTON.

Witness:

THEODORE Z. HARDEE.

It was acknowledged before a notary public.

General Lawton knew of what he wrote. He was at the front, as he was always at the front when duty called. There never was a finer leader of men than Henry W. Lawton.

I want it remembered that neither this bill, if passed, nor any bill that has been proposed hitherto by the majority, if passed, would tie the hands of the American people, morally or otherwise, at all as to the policy ultimately to be pursued, in accordance with their will, upon the subjects of the Philippines. In the years to come the path is open. No retreat has been cut off by legislation. None is proposed. And that intensified to my mind the cruelty that for political purposes, while the soldiers were fighting under the flag, under the orders of their officers, this issue, or alleged issue, should be made and debated for party purposes, as it was before the American people. Lawton knew whereof he spoke. I will show before I finish—and I ought to be through—that the proposition of the minority is a continuation, in practical effect, of the obstruction which has wrought so much harm and done absolutely no good hitherto.

I was speaking of the influences which have rendered it difficult for the Taft Commission and the army of occupation to bring about pacification and acceptance of American sovereignty, in addition to the prolongation of the insurrection, by attitudes to which I have referred. Here is an order issued by Tinio, March 26, 1900.

ORDERS FORBIDDING FILIPINOS TO SERVE UNDER UNITED STATES GOVERNMENT.

In accordance with the circular of the general commanding the center of Luzon, which was referred to me by the colonel in charge of the civil government of this province, I utterly prohibit any Filipinos from *receiving employment or filling any offices in the town governments for the Americans, because he who accepts such voluntarily recognizes the sovereignty of the enemy, since he who fills such offices will be used as an example and others will use him as an excuse for accepting them.*

I inform you of this so that you can communicate it to your subordinates, especially to your local presidents and principales (heads of barrios), for their information.

God keep you many years.

Headquarters of the Second Zone, March 26, 1900. The lieutenant-colonel.
CASIMIRO TINIO.

Here is a general order of the provisional government of the Philippines.

Mr. TILLMAN. What is the date?

Mr. SPOONER. It is without date.

GENERAL ORDER OF THE PROVISIONAL GOVERNMENT OF THE PHILIPPINES.

Order the municipal captains in every town to move out and capture the detachments of the enemy, each man as he thinks best.

Capture all the friars and Spaniards and their goods and property; see that they do not escape me. The Filipinos who take the side of the enemy and who do not aid us to defend the cause of the people, seize them and their goods.

* * * * *

They will preserve carefully, as agent, all orders and documents of the towns.

If there is a town which does not comply with these orders, the others which have complied with them must regard them as enemies, using all means to capture such enemies and hold them prisoners. Capture the municipal captain, and if he resists shoot him.

Whoever struggles and works for the independence of the country will be authorized to shoot whoever resists or refuses to recognize the holy cause or who favors the enemy.

If the enemy attack a town, all others must aid it without fear. If a town does not aid another attacked by the enemy, the chiefs of such town will be immediately deprived of their offices, and the laws of this government for such a case will be immediately applied to them.

* * * * *

Here is one of August 1, 1900:

[Translation from letter found when General Cailles's headquarters were destroyed by Colonel Cheatham, August 1, 1900.]

As soon as you receive this communication you will inform all people of your district that, by order of the commanding general of this province (General Cailles), there will be captured and shot those regular soldiers, policemen, and volunteers, or other citizens who present themselves to the Americans and who surrender their rifles for money.

All the military chiefs and presidentes locales will be held responsible if anyone of their jurisdiction present themselves to the Americans, and therefore it is ordered that if anyone has the intention of presenting himself to the Americans, he will be captured immediately and sent to the headquarters in accordance with the orders of our general.

Central camp, Lumban, July 15, 1900.

PEDRO CABALLES, Major.

I read from letter-sent book, secretary of war, No. 147, June 2, 1899, showing the fear of acceptance of full autonomy even:

Letter from office of the secretary of war to Arcadio Magsilong, military commander of Cebu, this date, directing him to oppose to his utmost the full autonomy offered by the Americans to that island, and in order to do so he must impose severe punishments upon such persons as proclaim the advantages offered by those people, and this without any consideration for the office occupied by such persons, civil or ecclesiastical, if they are of autonomist tendency, and if the president and his council incline toward the Americans, yielding to their desires, arrange at once and in proper fashion for hostilities to break out with the enemy, because we can not permit any flag except the Filipino one on that island.

Here is one dated March 4, 1899:

[Circular from Polo, March 4, 1899—9.31 a. m.]

Antonio Luna, general commanding military operations against Manila, to military chiefs, officials of the provinces and towns:

In order to prevent any act opposed to the military plans of these headquarters and consequently to the ideals of the Filipino Republic, I order and command (only one article): From this day any person or individual whatever who either directly or indirectly refuses to give aid to these headquarters in the prosecution of any military plan, or who in any manner whatever interferes with the execution of orders dictated for that purpose by the general in chief commanding operations upon Manila, will be immediately shot without trial. Communicate and publish this order.

Then they had over there the Katipunan. Here is their oath. There are two different oaths:

OATHS AND FORM OF INITIATION OF THE SOCIETY CALLED "KATIPUNAN"
OR "K. K. K."

Who is this who has never been initiated who wants to take part in the works of the temple?

One who wants light and who wants to be a son of the people. Profane man, think well whether you are able to fulfill all of these obligations.

If at this very hour the society demands your life and your body, are you able to give them?

The sound of bells which you have just heard, what does it mean?

It means that you are quitting your former life as the man in the last agony is quitting his, and your anguish is the sign of your separation from your past life; at the same time it is the sign of your entrance into the society where you will see the true light.

Upon your entrance into this society it is necessary that a mark be placed upon your body to prove that you are a true brother; at the proper time you will be marked with red hot iron; can you stand it?

Consider well! Do you not wish to draw back?

Remember, my dear brother, that from this hour not you, but the society, is master of your body; it is the sole master of your life and powers.

Now that you have received all the signs of this society which is called "Katipunan" or complete union, you must place yourself upon your knees before the crucifix to swear to obey absolutely its commands, and to say nothing of them to anyone, neither to your mother, nor to your father, nor your friends, for if you do it will take vengeance upon you by your death *and that of your family*.

Do you know, my brother, what these arms mean? They are the arms with which the society will punish your brothers who become traitors and he who speaks of the secrets of the society.

Now receive our embrace as a mark of our eternal brotherhood.

OATH.

In the name of the one true God and on my honor I swear to be faithful to the society called Katipunan or Complete Union, to defend it to the last drop of my blood, to implicitly obey its orders, and to keep its secrets from any and all persons not members of the society. And if I fail in its orders to execute its justice may God punish my soul, and may my brothers trample upon my body. In testimony of which I sign with my own blood.

I certify that I believe this translation to be correct.

CAPTAIN, FOURTEENTH INFANTRY,
In Charge of Insurgent Records.

MANILA, P. I., July 7, 1900.

Here is another. An order was issued putting all Filipinos into the Katipunan and holding them bound by the oath and subject to the penalty.

[Translation of document captured by Lieut. J. R. Thomas, Seventeenth Infantry, near Pita de Infanta, Zambales Province, August, 1900. Forwarded through headquarters third district, department of Northern Luzon. Received October 24, 1900.]

INSTRUCTIONS.

First. From to-day you will be a brother of the Katipunan. You will understand your obligation to regard with esteem the true brother of the Katipunan, because we were born in one and the same country, of one and the same people, and descendants of one and the same blood and color—that is to say, sons of one common mother.

He who desires to become a brother will be asked the following questions:

First. Do you swear before our Lord Jesus that you will never do injury to the Filipinos?

Second. Do you swear before our Lord Jesus that you will help the Filipino people in their aspirations?

Third. Do you swear before our Lord Jesus that you will always esteem our brothers of the Katipunan?

Fourth. *Do you swear before our Lord Jesus that you will be able to assassinate your parents, brothers, wife, sons, relatives, friends, fellow-townsmen, or Katipunan brothers should they forsake or betray our cause?*

Fifth. Do you swear before our Lord Jesus that you will shed your last drop of blood in defense of our mother country?

Sixth. Do you swear before our Lord Jesus that you will sacrifice your life and goods when there is the slightest possibility of our brothers being in need of help?

For all of this that we, your brothers in the Katipunan, may have evidence of all you have sworn you will allow us to extract a drop of your blood with which to write your name, so that we, your brothers of the Katipunan, may know that you will never betray our cause.

This being done and the blood being drawn, his name will be written in his own blood, which although but a little drop, he will never, up to the last hour of his life, cease to remember to be upon his guard as a true brother, for it is blood drawn from his own body.

March 4, 1900.

MOISES ABUEG.

They attempted to bind men to this, enlarged and extended its scope by order, because it was apparent that the people had tired of being harried, tired of tyranny, tired of exactions, tired of assassination, bloodshed, and devastation, and welcomed peace and American sovereignty. It is an odd thing that the cabalistic sym-

bol of this oath-bound association in the interests of human liberty is "K K K" (ku-klux-klan?). Which was the mother of the other I can not say, but their purposes for liberty are very much the same.

I hold in my hand a list, which I can not take the time to read, signed by American officers, in answer to an inquiry dated December 3, 1900, which shows 314 natives assassinated, 419 natives assaulted, 73 municipal officers assassinated, and 44 municipal officers assaulted, simply for sympathy with the Americans and an acceptance of local office under the Taft Commission. The findings of the military commissions show a vast number, many having been buried alive. It is perfectly apparent that extreme measures were resorted to, in a systematic way, to prevent the acceptance of American sovereignty. If there could be a stronger recognition of the desire for it among the people, and the fear of it by the Tagalog chieftains, I can not imagine what it would be.

The reports show that in order to terrorize the people—and I can not take the time to present them to the Senate—assassination was the order of the day; that men and children were stoned to death, and that every conceivable act of violence which could strike terror to the human heart was resorted to and systematically employed in order to prevent the acceptance of American sovereignty within those islands.

How could this have occurred if Senators are right in their assumption that all but 5 per cent of the people were heart and soul supporters of Philippine independence as administered by the Tagalogs and opposed to American sovereignty?

What has the army done over there? It has pacified those provinces. At this time all of the provinces are pacified, I think, and Governor Taft thinks and General MacArthur thinks, except three.

Mr. PLATT of Connecticut. The Federal party say two.

Mr. SPOONER. The Federal party say two. At one time there were 71,000 men there. In March, 1900, there were 293 stations of troops in the Philippine Islands, which was increased up to December 1, 1901, to 472. Since December 1, 1901, 134 stations have been abandoned and 39 established, making a decrease since December 1, 1901, of 95, leaving a total at this date of 377, and 200 of those are simply there for the purpose of affording shelter and covering for the troops, and if there were a fort with adequate barracks they would be withdrawn.

I have here a letter from Secretary Root, which I will put in the RECORD:

WAR DEPARTMENT.

Washington, February 13, 1902.

MY DEAR SENATOR: I inclose herewith a memorandum showing the number of United States troops in the Philippines and the progressive reduction of that force since the 1st of January, 1901.

Very truly, yours,

ELIHU ROOT.

HON. JOHN C. SPOONER,
United States Senate.

WAR DEPARTMENT, *Washington*, ———.

January 1, 1901, there were in the Philippines, according to the corrected field returns received by mail for December 31, 66,758 enlisted men and 2,662 officers, making an aggregate of 69,420 American troops. The reduction of the American force has proceeded continuously since that time.

The time required for communication between headquarters at Manila and the outlying posts in the distant islands, and between Manila and the War

Department, is so great that only approximate figures can ever be given showing the present numbers of the organizations. The last full return, which reached the War Department on the 12th of February, 1902, was the return showing conditions on the 31st of August, 1901. There were then included in the organizations stationed in the island 1,469 officers and 45,715 enlisted men, making an aggregate of 47,184 (present and absent).

The last informal return by letter from headquarters at Manila, received at the War Department from the Philippines February 3, 1902, gives the numbers for November 30, 1901, as 1,417 officers and 44,432 enlisted men, making an aggregate of 45,849 (present and absent).

The present estimated strength of the organizations in the Philippines, based on telegraphic reports of the movements of troops, is 40,870.

When the movement of troops now under specific orders for stations in the United States has been accomplished, the numbers in the Philippines will be reduced to 1,390 officers and 33,522 enlisted men.

When the general directions already given for the return of troops whose stations in the United States have not yet been designated have been carried out, the number of troops in the Philippines will be reduced to 1,125 officers and 25,234 enlisted men.

None of the foregoing figures include Philippine scouts, who on the 1st of January, 1901, numbered between two and three thousand, and now number about 5,000.

That speaks a volume, and the other day General Chaffee cabled the War Department that he did not need a battalion of the Tenth Infantry which he had been advised had been ordered to report to him in the Philippine Archipelago. Is there no pacification in the opinion of the military officers in the Philippines? Have they accomplished nothing there by arms and with the aid of the Taft Commission, when they can reduce the army in spite of obstruction from 71,000 men to 26,000 men? The army has done a great work over there. It has not been waging a war of conquest; it has been obeying the orders of the Commander in Chief, to enforce the authority and sovereignty of the United States in the Philippine Archipelago. Of course there has been bloodshed; of course there has been cruelty. All war is cruel. It is savage. General Sherman defined it well when he remarked, "War is hell." But there never has been an army—and I think the records will show it—which has fought with greater bravery, which has endured hardships of a novel kind with greater patience, or which has treated an enemy with so much forbearance. Prisoners up to a comparatively short time ago were discharged.

Of course there have been cases of individual cruelty. Sometimes a soldier, walking along the pathway, has found lying dead, stabbed in the back, his bunk mate, horribly mutilated. More than once it happened. Knit together by those strong ties which bind men who face danger and endure hardships side by side, the next Filipino he met with a knife or a gun he killed. I am sorry, but that is the human nature of it, and in the last analysis it is the anger which comes from outraged love and comradeship.

Mr. President, even in this country of civilization, war was horrible. Who ever will forget the horrible memories of Libby prison, Andersonville, and Salisbury and Belle Isle? We never charged that on the Southern people. Those are incidents of war, and you will find them everywhere.

I have here charges that have been placed in the RECORD against our army in the Philippines by the Senator from Colorado [Mr. TELLER], who disclaimed a purpose to make an attack upon the army, but filled the RECORD with letters, some of them, as I remember, unsigned. I will not stop to read this letter, but I want to read a part of General Funston's letter, in which he replies to a charge incorporated in the RECORD by the Senator from Colorado.

Mr. TELLER. Will the Senator from Wisconsin allow me to correct him? I have seen General Funston's denial. What I read was an extract from a newspaper.

Mr. SPOONER. I know. I did not say the Senator from Colorado made the charge. On the other hand, the Senator did not understand me, but I did state that the Senator from Colorado at the time he inserted these letters in the RECORD disclaimed himself making any attack upon the Army.

Mr. TELLER. I did not insert anything that had not been in the public press.

Mr. SPOONER. I understand that. This is an answer to what was in the public press.

Mr. TELLER. I have read the answer and was very glad to see it.

Mr. SPOONER. This is an answer to what was in the public press and is now in the RECORD. I want the country to get it. Under date of February 2, 1902, General Funston says:

In this extract it is alleged that a soldier who claims to have been with me in the Philippines made the statement that he had helped to administer the "water cure" to 160 natives, all but 26 of whom died. This statement I wish to brand as an atrocious lie, without the slightest foundation in fact. During my service of three years in the Philippines I never had personal knowledge of the so-called "water cure" being administered to a native or any other form of torture being used to extract information from them.

Statements of this kind made by returned soldiers are simply braggadocio and a desire to attract attention to themselves. It is my belief that the "water cure" was very rarely, if ever, administered by American soldiers. It was a matter of common knowledge that occasionally the Macabebe Scouts, when not under the direct control of some officer, would resort to this means of obtaining information as to the whereabouts of concealed arms and ammunition.

Some soldiers have resorted to the "water cure," and some have been tried for it and convicted.

Mr. TELLER. May I say one word?

Mr. SPOONER. Certainly.

Mr. TELLER. At the time I presented these allegations I stated that the people ought to know the charges and the Government ought to take steps to prove their untruth, if they were untrue. I was not aware that they had taken any steps, and this report has come in since.

Mr. SPOONER. Every charge, and the letter of the Secretary of War shows it, which has been made in the newspapers of outrages alleged to have been committed by our soldiers in the Philippines, or which has been brought to the attention of the Secretary of War by letter, has been promptly investigated or is in process of investigation.

Mr. TELLER. That was not known to the public, I think, when those allegations were presented.

Mr. SPOONER. That is true, so far as I know, but they were presented. They have gone to the country, and it is only fair that alongside in the RECORD should be put the statement of the Secretary of War. I did not believe these charges, because if true they would constitute a violation of the standing instructions adopted in 1861, now in force, to govern the conduct of soldiers and armies in the field; not only that, but a violation of general and special orders; and not only that, but are absolutely inconsistent with the nature of American soldiers, who are brave, but not cruel, and who are commanded by as gallant and chivalrous officers as ever wore a uniform. Here is a letter from Matthew A.

Batson, who commands the Macabebe Scouts. I can not stop to read his letter, but in two sentences he says:

From time to time charges similar to that made by Mr. Kennan in the article referred to have been made against my scouts. These charges have invariably been thoroughly investigated, and have nearly always been found to be without foundation.

And so on; a statement which I think will satisfy Senators either that these charges have been investigated and exploded or are being investigated. I print the communication of the Secretary of War and the letters of General Funston and Captain Batson in the appendix.

Mr. TELLER. Will the Senator allow me to read a brief extract from the proceedings of the committee of which he is a member, and with which he is no doubt familiar?

Mr. SPOONER. What committee?

Mr. TELLER. The Committee on the Philippines.

Mr. SPOONER. I am not a member of the committee.

Mr. TELLER. I beg pardon; I thought the Senator was a member of it.

Senator PATTERSON. I do not think the charge of inflicting the water cure has been made against American soldiers as much as against the native troops who have been enlisted in the American Army, or as an appurtenance to the American Army. For instance, the Macabebes. Many letters have been published making statements of this kind—that Macabebes would be sent out for the purpose of securing the surrender of guns, and the persons would deny that they had any guns. Then the Macabebes would throw them upon the ground, one soldier on one hand and another on the other, secure their feet, pry open their mouths with a stick, and then pour buckets of water down their throats till they swelled up to an abnormal size, and then jump upon their stomachs. It has been stated that invariably under that treatment guns were produced where there were no guns before; this with the knowledge of American officers, the Army getting the advantage of it in securing arms from natives, which they were seeking, without any serious reproof.

This is what Governor Taft says—

Mr. SPOONER. Mr. President—

Mr. TELLER. I want to read the Governor's answer. I could not read one without the other, because otherwise the answer would not be intelligent. Governor Taft says:

I have no doubt there were such instances—of course a great many more than there ought to have been—but, if the Senator will excuse me, dependence upon private letters from private individuals as to what occurred is dependence on a very broken reed.

Then the governor goes on to say that he did not realize that himself until this investigation was made.

Mr. SPOONER. That does not conflict at all with General Funston's statement. He says there have been cases—

Mr. TELLER. That is what I understand.

Mr. SPOONER. And there undoubtedly would be. It would be impossible that the Army could go among that people—

Mr. TELLER. I stated a year ago, and I stated when I made my speech the other day, that that was undoubtedly the work mainly of the Macabebes.

Mr. SPOONER. Now, Mr. President, one thing can not fail to attract the notice of the public. We have done a great deal in the Philippines. The Army has done a great deal, not only in the way of putting forth successfully military power, but it has done a great deal in the way of amelioration. It did a great deal in the way of forming civil governments, which it is true did not prove to be successful because of the means employed by the insurrectionists to defeat them; but, after all, the Army did a great

deal in the interest of education, in the interest of peace, and in the interest of promoting good feeling among that people toward us.

In the one hand they carried the musket and in the other the schoolbook. I do not know in all history a parallel, taken all in all, to the operations which have been conducted in the Philippines in this respect; and I believe it to be true that if we could all have been united, if we could all have moved forward to the accomplishment of the great purpose of pacification—not subjugation, but pacification and upbuilding—vastly greater results would have been obtained.

There was nothing of tyranny in our attitude; there was no purpose of cruelty except as war is cruel. There could be none in the heart, as there had been none in the life, of the Commander in Chief. There was not an order issued by him that did not breathe the spirit not only of civilization, but of kindness and concern for that people which had been brought by the fortunes of war and the actions of all of us under the sovereignty and into the responsibility of this people.

If he failed to do anything, Mr. President, which a liberty-loving man should have done, I do not know what it was. He has been, not now but once, sneered at because he thought Providence had some agency in all that has happened to us and because he now and then used the word "destiny." I indulge in no casuistry. Every man will think for himself on these abstruse things. But believing that there is a God, omnipotent, just, generous, all-wise and all-seeing, one can hardly escape the belief that He has some superintending care over men and over nations.

The Senator from Colorado, in the speech which I read from this morning, recognized that. The man who has this belief in his heart, Mr. President, whether it be well founded or ill founded, can not be a tyrant. He will not run from any duty which arises from any environment and which a manly and generous man ought to discharge.

I remember in the early days how, more than once, touched by an unfair fling and taunt, calm and patient as he was, I have seen the pale face of President McKinley contract with pain. I remember in the debate on Cuba, when many cruel things were said, I had occasion to remark that he might take comfort to himself in the remembrance that the same things were uttered of Abraham Lincoln; that the day would come when the world would wonder and we would wonder how anyone ever could have thought, much less uttered, such imputations.

Behind this Army was President McKinley. A tenderer heart, Mr. President, never throbbed in a human breast—never; a kinder or more considerate man, in my judgment, never lived; a man who had a stronger, nobler love of country and of the flag, not as an emblem of power alone or chiefly, but as an emblem of liberty and justice and civilization, we have not known.

When the time came for him to die—aye, Mr. President, when, as he stood in the presence of the people and shrank back with the first shock of that dreadful assault upon him—the first word, almost, that leaped to his lips was a considerate word for the nameless stranger who, without personal malice, had shot him down. And from that hour until the last, in the presence of all the world, he bore himself with an intrepidity of soul, a thoughtfulness of

others, a steadfastness of faith in the God whom he loved and worshiped, a Christian resignation and patience which lifted him to the highest possible standard of human conduct. And at the last, when the world was fading away from him, when he was bidding farewell to her who had been the chief object of his love and tender care for all the years, he said, "It is God's way. His will be done."

HE WAS BEHIND THE ARMY.

Is it not almost impossible to believe that that man ever could have been referred to as "McKinley the First?" Can anybody believe that administration in the Philippines in his hands was intended for enslavement? No; he wanted to go forward, as it was his duty to do, with firmness but with kindness, and he did.

There is no State paper written in any time finer or loftier than the instructions which he issued to the Taft Commission when it went to the Philippines, to cooperate with the Army on the civil side in building up government and ameliorating the harshness of war. And what has been done? They have established civil government in all the provinces, I believe, except two.

Mr. PATTERSON. Fourteen.

Mr. SPOONER. Fourteen? I thought in all except two. I remember; the Senator is right.

Mr. LODGE. War exists in four.

Mr. SPOONER. War, or what is called war, exists in only four, but the Senator from Colorado is right.

Mr. PATTERSON. That is Governor Taft's statement.

Mr. SPOONER. They have established civil governments in all provinces in the archipelago except fourteen. Now, nobody with open mind could fail to be gratified by Governor Taft's testimony as to their progress among the people and through the islands, the manner in which they were met, met by the more intelligent as well as the less intelligent; and there the intelligent have a great influence, greater perhaps than generally, over those who are less intelligent. It produced day after day, without the aid of the army, surrenders. Over 28,000 arms have been surrendered; the army of insurrection there has disappeared; and to-day, if Governor Taft is correct, and if his associates are correct, in those provinces there is not only pacification, but there is an improved feeling and a genuine feeling rapidly extending toward American sovereignty and civil government under our auspices.

It is a plant of slow growth, I grant you. It is a difficult and delicate problem. It can be worked out, Governor Taft says. The Malay he finds like other men; he appreciates kindness and is grateful for it.

There has been no real progress in the Philippines, Senators say! "We have the testimony of the military and you have the testimony of the civil officers." Which knows the better? The last report of General Chaffee closes with this remark: "Nevertheless they exhibit evident signs of educational possibilities and gradually an attainment to the higher plane of our civilization may be hoped for." There was under the guerrilla system a period of elaborate treachery. It was a method of warfare. The report of General MacArthur is even very much stronger than that of General Chaffee. But who naturally should know better? The soldier who goes with his musket in his hand, who shoots on sight, is not apt to see the best or the kindly characteristics of an enemy. He is distrusted; he is feared. But when civil officers go

there, and go there without military escort, take their wives with them, mingle with the people, consult their prejudices, invite their advice, I submit that they are more likely to be received with sincerity and would have a better view of the heart than the military officers.

Nearly all the civil governors, as shown by the Senator from Connecticut [Mr. PLATT], make glowing reports of the condition of the provinces. We may be deceived about it. There may be, and probably is, more or less insincerity; but after all that, thus far they have done great things there. And who on the other side of the Chamber, except the Senator from Colorado [Mr. TELLER], in all this debate has uttered one word of commendation of the army or found one praiseworthy or beneficent act upon the part of the United States in the Philippines? Not one. We have organized courts there. We have changed the code of procedure. We have done away with the Spanish *mañana*, *mañana*, *mañana* (to-morrow, to-morrow, to-morrow). Nothing is said about that. We have established the habeas corpus—not a writ of favor, but a writ of right. It was done in the first instance by the order of President McKinley. Now it is a part of the law there. Not a word has been said in commendation of that, although Governor Taft testified that it was in constant operation, and that an old man came to him whose son or a relative had been confined for months, was it, or years—

Mr. LODGE. Six years.

Mr. SPOONER. For six years in a prison in Manila, without knowing for what, and asked him to discharge him. Governor Taft himself wrote the petition for the writ of habeas corpus, and he was discharged, and there followed by the same writs the discharge of a large number of men who had been held there under the Spanish régime. Senators have found no commendation for that. The American authority over there in those islands abolished the infamous Spanish *incommunicado*, which was so horrible in Cuba, which immured a man and shut him off from the world before even arraignment, away from counsel and friends and hope. It is gone, and gone forever. There is not a word of commendation for that.

We have abolished the ecclesiastical courts which had jurisdiction of every offense committed by a friar. He was tried by his own associates of the church, and out of it came appalling injustice. That has been abolished, and every man over there now, of every tribe, of every religion, has an equal position before the law. Senators have failed to commend that.

They passed many great civil acts, the central-government act, the provincial-government act, the municipal code (local self-government act), the educational act, the act creating courts of justice, a code of civil procedure, the constabulary act, a civil-service act, the board of health act.

Let me refer for a moment to what has been done in the matter of education. Senators find nothing in that to commend; nothing except to criticise: Total number of pupils enrolled in the public day schools, 177,325; average daily attendance, 108,000; enrollment in night schools, 20,000; a grand total of 197,000; grand total average attendance of 114,000. Total expenditures for 1901, \$800,000. Pay roll for December, \$100,000.

The insular government pays the salaries of the American teachers and officers and provides school supplies and books free

for all pupils. Senators in the opposition find nothing worthy of commendation in that.

The municipalities provide school buildings and furniture and pay the native teachers. There are 825 American teachers distributed over the archipelago—men and women.

Cruelty, tyranny! The Senator from Colorado [Mr. PATTERSON] yesterday afternoon condemned that.

Mr. PATTERSON. No.

Mr. SPOONER. Qualifiedly, as an evidence of tyranny, which sent our teachers over there to destroy the Philippine language.

Mr. PATTERSON. Mr. President—

Mr. SPOONER. Am I wrong?

Mr. PATTERSON. Yes.

Mr. SPOONER. In what respect?

Mr. PATTERSON. What I did condemn was laying claim to great merit for establishing a common-school system which the Filipinos were forced to pay for by the taxes taken from them, and they were not even consulted as to what should be taught. They are not even permitted under this system to be taught their own language. Instead, they must be taught a language totally foreign to them.

Mr. SPOONER. Mr. President—

Mr. PATTERSON. They have a language with a literature—

Mr. SPOONER. I do not yield for an argument.

Mr. PATTERSON. And a language of 4,000,000 people.

Mr. SPOONER. I do not yield for an argument.

Mr. PATTERSON. Well, you asked me.

Mr. SPOONER. I want to be just to the Senator.

Mr. PATTERSON. Oh, no; I am not finding fault with the Senator.

Mr. SPOONER. Mr. President, they have no common language. There is no Filipino language. There are 8,000,000 or 10,000,000 people. The Commission think there are about 8,000,000. There are a great many different tribes and a great many different dialects. The language of the law is Spanish. Comparatively few speak Spanish. What is the number—6 per cent?

Mr. LODGE. Between 5 and 10.

Mr. SPOONER. Between 5 and 10 per cent speak Spanish. We go over there with our government. We go over there with no purpose on earth except to subserve the interests of that people and to build them up and confer blessings upon them. We have left the Spanish language, the language of the courts. That was a necessity. The Filipinos of the various tribes do not have to be taught their own language.

Mr. PATTERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes.

Mr. PATTERSON. I want to ask the Senator what he thinks of either the wisdom or humanity of granting a suffrage—

Mr. SPOONER. I am not discussing that.

Mr. PATTERSON. One moment; of granting a suffrage only to those people who write the Spanish language, comprising in the neighborhood of 5 per cent, with a few additions, and excluding from the suffrage, however intelligent the natives may be, those who speak and write their own language, the language of the nation?

Mr. SPOONER. Mr. President, there is no language of the nation except the Spanish language. That is the law language. It is the language of the courts. We want a language of the people, a language of the nation. They never will be a nation until they have a common language in one way or another, in one degree or another. In Aguinaldo's first draft of a constitution, made by Mabini, they provided that English should be the legal language of the country, and in his last one they did not settle it, but left it for the law to prescribe. However, for years to come they knew it would have to be the Spanish language. Would we go there, Mr. President, and open schools with American school-teachers to teach the Tagalos language, to teach the language of the Ilocano, the Igorrote, and Pangasinan, and all that—

Mr. PATTERSON. Let me ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. I prefer not.

Mr. PATTERSON. Just for a question.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. PATTERSON. Just for a question?

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. SPOONER. I yield for a question.

Mr. PATTERSON. The question is whether or not those who are compelled to pay for teachers should not be consulted as to what will be taught.

Mr. SPOONER. Mr. President, if the Filipino fathers and mothers like to send their children to an American school to be taught the English language, to be taught to read it and to write it and to spell it, the Senator from Colorado ought to be content. [Laughter.]

Mr. PATTERSON. If the people of the Philippines are content I am content, but the people of the Philippines are given no choice. It is simply crammed upon them and forced upon them. It is all that they have.

Mr. SPOONER. Now, we have government without consent and education without consent. [Laughter.] What next? Mr. President, the people there or anywhere else know what they want, but evidently they do not know what the Senator from Colorado wants them to want. [Laughter.] They send their children to school and they do it with the utmost avidity. The schools are crowded with intelligent children, children eager to learn, and a friend of mine told me that he attended one of the schools and the aisles were filled with mature people, anxious to learn to read and to understand the English language. The Senator, without any complaint from them, of his own motion, proceeds to point out to them what they evidently have not learned, and will not until they read his speech—and I hope it will not get there [laughter]—that they are being outraged and tyrannized over by being taught the English language.

There are 3,300 Filipino public school teachers, the majority of whom receive one hour's English instruction daily. Have they complained to the Senator? There is no compulsory education over there. Those come who want to come, and if there is anything in liberty, the child who wants to go to school and learn English ought to have a chance.

There are 200 American soldiers detailed to teach in sections where the army is operating.

What tyranny!

Free public schools are established in every island of the archipelago.

During the Spanish régime there was one teacher for every 3,500 of the civilized population.

This year there is one teacher for every 1,551 of the civilized population.

The natives generally welcome—they may not hereafter, but they do now—welcome the teachers and seem anxious to learn English.

The Normal School was opened September 1, in Manila. It has an enrollment of 250.

The Nautical School was established in Manila August 7, 1900.

The constabulary force at present numbers about 2,500 men. All of the enlisted men are natives. Twenty-five per cent of the inspectors are natives. The records show only two desertions prior to December 24, 1901. The cost of one constable is \$250 per year, as against \$1,000 per year in the United States—the cost of an American soldier. The constabulary supplies to its force through its supply store the necessities of life which can not be bought in the provinces. The estimated appropriation for maintaining for one year a constabulary force of 183 chief officers, 543 petty officers, and 4,480 privates is \$1,250,000 as against \$5,000,000, the cost of maintaining a military force of equal size in the United States.

During the four months since the organization of the constabulary its forces have taken part in 230 expeditions, killed 20 outlaws, wounded 20, and captured 374; captured 114 rifles, 17 shot-guns, 44 revolvers, 79 bolos, and 1 cannon; recovered 125 carabaos and 13 ponies; received the surrender of 57 rifles, 5 revolvers, 1,052 rounds of rifle ammunition; executed 79 warrants, made 179 arrests (exclusive of outlaws), furnished descriptive lists of 4,500 agitators and turbulent characters.

The chief of constabulary, Maj. Henry T. Allen, estimates that in one year from January 1, 1902, 15,000 American soldiers, with the aid of native troops and constabulary, will suffice to garrison and maintain order in the Philippine Islands.

Yes, in spite of appeals and terrorism and obstructions, we have made great progress in the Philippines.

Now, what is proposed here, Mr. President? What is the substitute presented by the minority?

That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

If this is passed, that is the end of it—no protectorate, no reserve power over foreign relations, no power reserved at all that would be in the slightest degree efficient.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of said islands, as hereinafter provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain for the safety of those inhabitants who have adhered to the United States and for the maintenance and protection of all rights which have accrued under their authority.

Then we are to go away and “leave the government control and sovereignty thereof to the inhabitants of the same.” I think that

is the most mischievous project in the present situation that could be devised by the wit of man. It is the discredited issue of imperialism projected again.

What would be the effect of this substitute? What is the hypothesis, Senators, on which you propose to enact this proposition? Either one of two—either that the American people can not safely be trusted to settle this Philippine proposition in their own way and in their own good time, or that it is necessary to the pacification of those islands. Is either true? The Senator from Colorado, in the speech from which I read an extract a little while ago, announced—and I knew he had—implicit faith in the American people. By what warrant do you press legislation impeaching the integrity and the loyalty of the American people to American ideals?

The Senator from Tennessee seemed to think in his speech the other day that if we do not scuttle the ship, if we do not retreat at once, if we do not, like cowards, run from duty partially done the American people will become blind with the passion of greed, and that retreat will be cut off.

I estimate the American people in no such way. I have abiding faith, Mr. President, in their purposes, in their generosity, in their justice. The ideals of the American people have been made by them, they belong to them, they are dear to them, and they will preserve and maintain them.

When has the American people voted to shunt this sovereignty, this title, and this possession which they have acquired by treaty, ratified by appropriations, consummated by military force, and upon which they are now engaged in working out righteously and splendidly the great problem upon which they entered? Why now? Why just as the Taft Commission is winning the confidence of the people there, overcoming the prejudices which in so many ways, assiduously and by terrorism and otherwise, have been engendered against us? Why again project into this situation this doctrine of independence? What will be the result? You set the cabal at work; you inaugurate intrigue; you project into the future an issue of fact about which there must be and will be differences of opinion.

It has been proclaimed on this floor that long ago they had a republic devoted to liberty and fit for international recognition, protecting life, liberty, and property. Who is to say when a stable government has been formed over there—the Filipinos or we? They will say “We have it.” We may be compelled to say “No; you have it not.” Then comes the hot charge of bad faith; then our own witnesses cited to sustain the charge of perfidy and bad faith. We lose the vantage ground for doing good which the title gave us, as contradistinguished from the mere relinquishment of sovereignty.

That is not all. You would stop at once adherence to American authority and cooperation in American upbuilding. How? I spoke at one time with a gentleman who was vice-president in Aguinaldo's cabinet, and who is an able man. He told me that a large majority of the Filipinos desired to acquiesce in American sovereignty; that they believed we would do what was generous and right, but they were afraid. I said, “Why afraid?” He said, “Congress has not acted; the division in your country is such that we are afraid some day the American flag will be taken down in the Philippines, your troops will sail away, and then, if in the

meantime we shall have manifested sympathy for the American Government and a willingness to acquiesce in it, we shall be confiscated, assassinated, and destroyed."

Now, Mr. President, instead of leaving that people to meet the advances of the Taft Commission, to cooperate with them in developing the industries and increasing the prosperity of the islands, in extending the system of free education, in eliminating, as we will, the title of the friars to lands there, what would these Senators do? They would pass a bill giving away the sovereignty, leaving us there as tenants at will or by sufferance. If this substitute were passed, not one man in the Philippine Archipelago would dare to give his adhesion to American sovereignty or evidence his sympathy with the work of this Government for their future betterment. They would remember the outlawries, the confiscations, and the terrorism of the recent past.

It is a bill to raise hell in the Philippine Archipelago. It is a bill that has no merit whatever in it. It is a proposition which we are not ready for and which the Filipinos are not ready for. It is an experiment that they dare not try. Our obligations over there have grown day by day. Every Filipino who has accepted office, every Filipino who has evidenced in the smallest degree sympathy for the United States or a willingness to acquiesce in American sovereignty, has taken a bond from us, if there is any honor in us, to stay there long enough to safeguard his life when a change does come.

You will go away when a stable government is formed, "exact-ing guaranties that those who have adhered to the United States shall be protected!" What guaranty? Who shall guarantee the guarantor? How long will it take to erect a stable government in the Philippine Islands? God only knows. You do not know. I do not know. Had we not better move along with the sovereignty and title, the strong, firm, safe foundation for upbuilding, and leave to the future the questions of the future?

Who asks for this surrender of sovereignty? The memorial of the Federal party, admittedly comprising about 150,000 of the most intelligent and influential people of the islands, petitioning for ultimate statehood, adjure us against colonialism and independence. They say:

To make of the Philippines a colony of the United States or to grant independence to the Philippines would be to hand the islands over to disorder and to anarchy, to destruction and to chaos.

Their argument against colonialism is largely based, naturally, on the abuses and injustices with which the "Philippines were surfeited under the Spanish Government." They add, as to independence:

Philippine independence, with or without a protectorate, means the holding of power by all the terrible elements of the sect which predominate, and would predominate still for some years, until the anger of Filipinos toward Filipinos shall have been completely calmed, education become more general, and the fanaticism we have inherited from Spain exiled.

These men should know whether the people there are fit for independence, or can soon be fitted for independence, better than we can know it. Because we can not pledge to them what they wish—statehood—must we give them what they do not wish and say they can not sustain—independence?

I stand, Mr. President, where I have always stood from the first upon this subject. I dreaded the assumption of the burden. I did not believe, nor do I now, in permanent dominion of the

United States in the Philippine Archipelago. At the same time, I never expect the flag of the United States to depart from that archipelago.

I feel a little differently as to the relation of the United States to the Philippine Archipelago from what I once did. I have less of fear and more of hope. I firmly believe, as we all fervently hope that if we move forward, solving as best we can the problems which appear from time to time, doing right, spreading education, promoting justice, ameliorating conditions in the Philippines, building roads, increasing facilities, bringing prosperity, quieting the titles of the native inhabitants to land which they and their ancestors have occupied, so that for the first time, standing in front of their houses, each could truthfully say, "This is my home; I own it"—never before could they say that—that it will inevitably attach that people to us and win their confidence. This would be a vain hope if the minority proposition here were adopted.

It is our duty to find fault only where fault can fairly be found. The problem is difficult and filled with complication. It requires patience, tact, and united effort.

This debate has been, after all, a high tribute to the work of the Commission. Senators have criticised the treason act, and I agree with the criticism in part. They have found fault with the sedition act. There is much, I think, to be said in favor of that act, its phraseology in one or two particulars being changed. They have criticised the franchise, but it must be remembered that it is but a beginning. Self-government is a faculty. It must be developed, and it can not be developed without use. We can not adopt there at once the standards which are dear to us here. We require the Commission to report to us every act in order that we may examine it, and if it does not meet our approval we may change it.

I wish we might all move along together. Let us encourage the Commission. Let us improve as rapidly as possible government over there, and enlarge the participation of the people in it, and when the day comes that that people can maintain an autonomous government let us give it to them. They might be able to do that, and doubtless will be able to do that, long before they could maintain independence, but, having the sovereignty, we could maintain a protectorate over them with safety, thus giving them opportunity in safety to work out with our aid their destiny. Leave there, and then what?

Mr. HOAR. May I ask my honorable friend a question?

Mr. SPOONER. Yes, sir.

Mr. HOAR. Is the Senator willing to put into a resolve of the Senate such a declaration of the purposes of the American people as he has just stated?

Mr. SPOONER. I am not willing to make any declaration in this situation. I am willing to trust the American people, Mr. President. Suppose you adopt this proposition, and suppose you come away from the Philippines, they having erected a stable government, in your opinion, and it turns out not to be a stable government?

Mr. HOAR. Mr. President, if I may interrupt the Senator again, this is a proposition of immense importance, to my humble apprehension. It is a proposition in which the very essence of civil liberty and righteousness is involved; and if I am indiscreet

in interrupting the Senator in his eloquent remarks I beg his pardon. But I want to ask him, as he claims we are the trustee of 10,000,000 people, whether, when many persons in the Senate and out of it are declaring that we have the right to hold those people for our advantage and that the American flag shall never go down there under any circumstances or under any conditions—whether, when he declares what he himself thinks righteousness and justice demand, he refuses to let the American Senate, to let the trustee, tell those people that we have no purpose of turning them to our own gain?

I do not ask the Senator to determine any political policy in any sense by saying exactly what we are going to do, but I ask him now, does he refuse to tell that people that in the future we mean, if they are fit for it, to leave them to govern themselves in freedom and in independence, or does he mean that they shall be contented with the vague declarations of irresponsible individuals?

Mr. SPOONER. Mr. President, I mean just this: If I have not made the Senator from Massachusetts understand that I regard it as the height of unwisdom to project into the future any promises upon that subject, I have failed utterly in making myself understood.

Mr. HOAR. But the Senator—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. SPOONER. I yield.

Mr. HOAR. I ask the Senator when it is debated here in the Senate, and out of it, whether we are the rightful owners of that people for all time, he thinks it is projecting into the future a problem that is to be settled then to simply disclaim that intention?

Mr. SPOONER. I think we are the owner of the Philippine Archipelago—

Mr. HOAR. People and all?

Mr. SPOONER. People and all? I think if we own a country—

Mr. HOAR. You own the people.

Mr. SPOONER. I did not say that.

Mr. HOAR. I beg your pardon.

Mr. SPOONER. I did not say that.

Mr. HOAR. No; I understand you did not. I beg the Senator's pardon.

Mr. SPOONER. We bought the Territory of Louisiana, but we did not own the people. We bought the Territory of Alaska, but we did not own the people. But when we acquire territory which is inhabited we certainly have the sovereignty and right to govern it incidental to the ownership.

Mr. HOAR. But did we not assure Louisiana and Alaska both that we intended ultimately to admit them into the Union as equals?

Mr. GALLINGER. I think not as to Alaska.

Mr. SPOONER. Not Alaska.

Mr. HOAR. Mr. Sumner again and again in that great speech made that affirmation and disclaimed the notion of governing without the consent of the governed.

Mr. LODGE. It was never done by law or treaty.

Mr. SPOONER. It is not what Mr. Sumner declared, but what was in the treaty.

Mr. HOAR. I am speaking of what the great leader of the Senate then read and commending it to the imitation of the leader of the Senate now.

Mr. SPOONER. I was saying when interrupted, "leave there, and then what?" Leave your stable government to a people who never up to this time for an hour participated in government. What would follow? Civil war and anarchy, and the Philippine Archipelago would have passed beyond any relief from us. We should have relinquished our sovereignty by act, if this substitute were adopted, and abandoned it in fact. It is a dangerous experiment to try. Other nations would intervene, and seize and occupy. We could not complain, for we should have abandoned our sovereignty to a people which could not hold it.

Of course we can not penetrate the future.

When Congress adjourned not long ago none of us thought, except perhaps the Senator from Colorado, of any conflagration in China. To me it came like a clap of thunder from a cloudless sky. When our legations were attacked in China, and when the missionaries over there—men and women laboring in His service, self-sacrificing, devoted—were suddenly confronted with death and unspeakable outrage and implored our protection, it seemed rather "providential" that we were in the Philippines and able to send quickly two regiments of soldiers and a battery from the archipelago, only 600 miles away, to their relief. It had great moral effect. Other governments had to send troops from far away. They gave up their legations and their legationers as lost. President McKinley would not and did not.

And so in all the great strife for commerce in the Orient which is to come in the future, which will grow more and more intense, I think a foothold, naval and military, in that archipelago, not incompatible even with ultimate independence to the Philippine people, will be of infinite use to the people of the United States.

No, Mr. President, I am opposed, in this sensitive and difficult situation, to promises, indefinite as to time of redemption, not now absolutely certain as to possibility of literal redemption. The true policy is to proceed with the work of pacification and construction, as President McKinley did, and as President Roosevelt announces his purpose to do. He is a man of high ideals. He is a lover of liberty. He dared more for liberty in the Spanish-American war than any of us. He offered his life and all that is dear to a man for the liberty of Cuba. The people trust him. We will obey their will if we stand by him and uphold him. We have traveled far and done good work since the outbreak of the Spanish-American war.

By our aid the republic of Cuba is soon to enter the family of nations, with a flag of her own. We have brought happiness and prosperity to Porto Rico, and we have well begun the great task which we assumed in the Pacific, to bring together the Philippine people into one people, and to educate them for self-government or independence, and to give it to them when the time comes. That is a result well worth working for and well worth waiting for. It can be wrought out by going forward, but not by a retreat, and I venture to prophesy that it will not be long before the Filipino people would look upon the departure of our flag from their midst, with its guaranty of protection, of liberty, of law, and of order, as an irreparable calamity.

APPENDIXES.

APPENDIX A.

AGUINALDO'S ORDER OF JANUARY 9, 1899. -

MALOLOS, January 9, 1899.

INSTRUCTIONS TO THE BRAVE SOLDIERS OF SANDATAHAN OF MANILA.

ARTICLE 1. All Filipinos should observe our fellow-countrymen in order to see whether *they are American sympathizers*. They shall take care to *work with them in order to inspire them with confidence of the strength of the holy cause of their country*.

Whenever they are assured of the loyalty of the *convert* they shall instruct them to continue in the character of an American sympathizer, in order that they may receive good pay, but without prejudicing the cause of our country. In this way they can serve themselves and at the same time serve the public by communicating to the committee of chiefs and officials of our army whatever news of importance they may have.

ART. 2. All of the chiefs and Filipino brothers should be ready and courageous for the combat, and should take advantage of the opportunity to study well the situation of the American outposts and headquarters, observing especially secret places where they can approach and surprise the enemy.

ART. 3. The chief and those who go to attack the barracks should send in first four men with a good present for the American commander. Immediately after will follow four others, who will make a pretense of looking for the same officer for some reason, and a larger group shall be concealed in the corners of houses in order to aid the other groups at the first signal. This wherever it is possible at the moment of attack.

ART. 4. They should not, prior to the attack, look at the Americans in a threatening manner. *To the contrary, the attack on the barracks by the Sandatahan should be a complete surprise and with decision and courage. One should go alone in advance in order to kill the sentinel. In order to deceive the sentinel the one should dress as a woman and must take great care that the sentinel is not able to discharge his piece, thus calling the attention of those in the barracks. This will enable his companions who are approaching to assist in the general attack.*

ART. 5. At the moment of the attack the Sandatahan should not attempt to secure rifles from their dead enemies, but shall pursue, slashing right and left with bolos, until the Americans surrender, and after there remains no enemy who can injure them they may take the rifles in one hand and the ammunition in the other.

ART. 6. The officers shall take care that *on the top of the houses along the streets where the American forces shall pass there will be placed four to six men, who shall be prepared with stones, timbers, red-hot iron, heavy furniture, as well as boiling water, oil, and molasses, rags soaked in coal oil ready to be lighted and thrown down, and any other hard and heavy objects that they can throw on the passing American troops.* At the same time in the lower parts of the houses will be concealed the Sandatahan, who will attack immediately. Great care should be taken not to throw glass in the streets, as the greater part of our soldiers go barefooted. On these houses there will, if possible, be arranged, in addition to the objects to be thrown down, a number of the Sandatahan, in order to cover a retreat or to follow up a route of the enemy's column, so that we may be sure of the destruction of all the opposing forces.

ART. 7. All Filipinos, real defenders of their country, should live on the alert to assist simultaneously the inside attack at the very moment that they note the first movement in whatever barrio or suburb, *having assurance that all the troops that surround Manila will proceed without delay to force the enemy's line and unite themselves with their brothers in the city.* With such a general movement, so firm and decided against the Americans, the combat is sure to be a short one, and I charge and order that the persons and goods of all foreigners shall be respected and that the American prisoners shall be treated well.

ART. 8. All of our chiefs in the suburbs should prepare groups of the Sandatahan, who will attack with ferocity and decision the Americans within their lines, attempting to surround each group of Americans or to break through their lines. This must be done if the nature of the ground occupied by the Americans will permit and if the Sandatahan have the proper amount of courage and resolution, and the more courage and intelligence that they show in the moment of the attack the surer will be the result and the fewer will be their own losses.

ART. 9. In addition to the instructions given in paragraph 6, there shall be in the houses vessels filled with boiling water, tallow, molasses, and other liquids, which shall be thrown as bombs on the Americans who pass in front of their houses, or they can make use of syringes or tubes of bamboo. In these houses shall be the Sandatahan, who shall hurl the liquids that shall be passed to them by the women and children.

ART. 10. In place of bolos or daggers, if they do not possess the same, the Sandatahan can provide themselves with lances and arrows with long, sharp heads, and these should be shot with great force in order that they may penetrate well into the bodies of the enemy. *And these should be so made that in withdrawal from the body the head will remain in the flesh.*

ART. 11. It can be taken for granted that if the above instructions are observed the enemy will not be able to use their firearms because of the confusion in his ranks, as they would shoot one another. For this reason I have always thought the rifles useless in this kind of combat, for experience has taught me, my dear brothers, that when the Sandatahan make their attack with courage and decision, taking advantage of the confusion in the ranks of the enemy, the victory is sure, and in that case the triumph is ours.

ART. 12. At last, if, as I expect, the result shall favor us in the taking of Manila and the conquering of the enemy, the chiefs are charged with seeing that the officers and soldiers respect the consulates, the banks and commercial houses, and even the Spanish banks and commercial houses, taking that they be not seduced by the hope of plunder; as, if God sees this, He will reward us, and the foreign nations will note the order and justice of our conduct. I charge that in the moment of combat the officers, soldiers, and whatever patriots take part in the struggle will not forget our noble, sacred, and holy ideals, liberty and independence. Neither will you forget your sacred oath and immaculate banner; nor will you forget the promises made by me to the civilized nations, whom I have assured that we Filipinos are not savages, nor thieves, nor assassins, nor are we cruel, but on the contrary that we are men of culture and patriotism, honorable and very humane.

Above all I expect that you will respect the persons and goods of private persons of all nationalities, including the Chinese; that you will treat well the prisoners and grant life to those of the enemy who surrender. And that you be on the sharp lookout for those traitors and enemies who, by robbery, will seek to mar our victory.

EMILIO AGUINALDO.

APPENDIX B.

[Senate Document No. 205, part 1, Fifty-seventh Congress, first session.]

CHARGES OF CRUELTY, ETC., TO THE NATIVES OF THE PHILIPPINES.

Letter from the Secretary of War relative to the reports and charges in the public press of cruelty and oppression exercised by our soldiers toward natives of the Philippines. February 19, 1902.—Ordered to be printed as a document.

WAR DEPARTMENT, Washington, February 17, 1902.

DEAR SIR: In reply to your letter of Saturday, the 15th instant, received yesterday, asking information regarding the reports and charges in the public press of cruelty and oppression exercised by our soldiers toward natives of the Philippines, I send you a number of documents which I think will furnish the information you wish. Every report or charge of this description which has at any time been brought to the notice of the War Department has been made the subject of prompt investigation; and among the inclosed papers you will find the records of thirteen such inquiries in which the results have been reported. You will perceive that in substantially every case the report has proved to be either unfounded or grossly exaggerated. The particular report which was called to the attention of the Senate last week, viz, that the "water cure" is the favorite torture of the American, and especially of the Macabebo scouts, to force the natives to give information, and that a soldier who was with General Funston had stated that he had helped to administer the "water cure" to 160 natives, all but 26 of whom died, was already under investigation, which is still in progress.

I inclose a copy of a letter received from General Funston, dated February 2, 1902, in which he declares the statement to be an "atrocious lie without the slightest foundation in fact;" and a letter from Lieutenant Batson, the commander of the Macabebo Scouts, to the same effect.

As to orders governing our soldiers in the Philippines, I send you a copy of the instructions for the government of armies of the United States, promulgated under President Lincoln by General Orders, No. 100, of 1863. These rules have been republished from time to time in separate form and furnished to every commissioned officer of the Army, both Regulars and Volunteers, and are to-day, as they have been at all times since 1863, the practical and effective guide and rule of conduct to which every officer understands that he must conform. Among these rules you will find the following:

"RULE 16. Military necessity does not admit of cruelty—that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confessions. * * *

"RULE 44. All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized offi-

cer, all robbery, all pillage or sacking, even after taking a place by main force; all rape, wounding, maiming, or killing of such inhabitants are prohibited under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense. * * *

"RULE 56. A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering or disgrace by cruel imprisonment, want of food, by mutilation, death, or any other barbarity.

"RULE 75. Prisoners of war are subject to confinement or imprisonment such as may be deemed necessary on account of safety, but they are to be subjected to no other intentional suffering or indignity. * * *

"RULE 80. Honorable men, when captured, will abstain from giving to the enemy information concerning their own army, and the modern law of war permits no longer use of any violence against prisoners in order to extort the desired information or to punish them for having given false information."

I send you also copies of eighteen orders, issued at different times and under different commands in the Philippines, for the observance and enforcement of these humane rules, calling particular attention to the order of the Department of Southern Luzon, dated June 5, 1900; in the Department of the Visayas, dated June 26, 1900, and in the Department of Northern Luzon, dated July 14, 1900.

I send you a memorandum of 44 officers, soldiers, and camp followers who have been tried, and 39 of them convicted, for violation of such orders as are above described.

The war on the part of the Filipinos has been conducted with the barbarous cruelty common among uncivilized races, and with general disregard of the rules of civilized warfare. They deliberately adopted the policy of killing all natives, however peaceful, who were friendly to our Government, and in literally thousands of instances these poor creatures, dependent upon our soldiers for protection, have been assassinated.

The Filipino troops have frequently fired upon our men from under protection of flags of truce, tortured to death American prisoners who have fallen into their hands, buried alive both Americans and friendly natives, and horribly mutilated the bodies of the American dead. That the soldiers fighting against such an enemy, and with their own eyes witnessing such deeds, should occasionally be regardless of their orders and retaliate by unjustifiable severities is not incredible. Such things happen in every war, even between two civilized nations, and they always will happen while war lasts. That such occurrences have been sanctioned or permitted is not true. A constant and effective pressure of prohibition, precept, and discipline has been maintained against them. That there has been any such practice is not true. The cases have been few and far between, scattered infrequently over a great area of country along the course of three years of active conflict, through thousands of engagements, and among many thousands of troops.

That these occasional cases have characterized our Army or its conduct is not true, any more than the deeds of lawless violence which constantly occur in every large city characterize the people of the city. The war in the Philippines has been conducted by the American Army with scrupulous regard for the rules of civilized warfare, with careful and genuine consideration for the prisoner and the noncombatant, with self-restraint, and with humanity never surpassed, if ever equaled, in any conflict, worthy only of praise, and reflecting credit upon the American people.

I send you a number of extracts from reports and court-martial proceedings, illustrating the character of insurrectionist warfare.

Very truly, yours,

ELIHU ROOT, *Secretary of War.*

HON. HENRY CABOT LODGE,
Chairman Committee on the Philippines,
United States Senate.

EXHIBIT A.

KANSAS CITY, MO., *February 2, 1902.*

SIR: My attention having been called to an extract from an article published in the City and State, of Philadelphia, January 2, 1902, I wish to make the following comment:

In this extract it is alleged that a soldier who claims to have been with me in the Philippines made the statement that he had helped to administer the "water cure" to 160 natives, all but 26 of whom died. *This statement I wish to brand as an atrocious lie, without the slightest foundation in fact.* During my service of three years in the Philippines I never had personal knowledge of the so-called "water cure" being administered to a native, or any other form of torture being used to extract information from them.

Statements of this kind made by returned soldiers are simply braggadocio, and a desire to attract attention to themselves. It is my belief that the "water cure" was very rarely, if ever, administered by American soldiers.

there shall be full opportunity for fair and impartial hearing and judgment; that if the same public interests require the extinguishment of property rights lawfully acquired and held, due compensation shall be made out of the public treasury therefor; that no form of religion and no minister of religion shall be forced upon any community or upon any citizen of the islands; that upon the other hand no minister of religion shall be interfered with or molested in following his calling, and that the separation between state and church shall be real, entire, and absolute.

It will be the duty of the Commission to promote and extend, and, as they find occasion, to improve, the system of education already inaugurated by the military authorities. In doing this they should regard as of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community. This instruction should be given in the first instance in every part of the islands in the language of the people. In view of the great number of languages spoken by the different tribes, it is especially important to the prosperity of the islands that a common medium of communication may be established, and it is obviously desirable that this medium should be the English language. Especial attention should be at once given to affording full opportunity to all the people of the islands to acquire the use of the English language.

It may be well that the main changes which should be made in the system of taxation and in the body of laws under which the people are governed, except such changes as have already been made by the military government, should be relegated to the civil government which is to be established under the auspices of the Commission. It will, however, be the duty of the Commission to inquire diligently as to whether there are any further changes which ought not to be delayed; and, if so, they are authorized to make such changes, subject to your approval. In doing so they are to bear in mind that taxes which tend to penalize or repress industry and enterprise are to be avoided; that provisions for taxation should be simple, so that they may be understood by the people; that they should affect the fewest practicable subjects of taxation which will serve for the general distribution of the burden.

The main body of the laws which regulate the rights and obligations of the people should be maintained with as little interference as possible. Changes made should be mainly in procedure, and in the criminal laws to secure speedy and impartial trials, and at the same time effective administration and respect for individual rights.

In dealing with the uncivilized tribes of the islands the commission should adopt the same course followed by Congress in permitting the tribes of our North American Indians to maintain their tribal organization and government, and under which many of those tribes are now living in peace and contentment, surrounded by a civilization to which they are unable or unwilling to conform. Such tribal governments should, however, be subjected to wise and firm regulation; and, without undue or petty interference, constant and active effort should be exercised to prevent barbarous practices and introduce civilized customs.

Upon all officers and employees of the United States, both civil and military, should be impressed a sense of the duty to observe not merely the material but the personal and social rights of the people of the islands, and to treat them with the same courtesy and respect for their personal dignity which the people of the United States are accustomed to require from each other.

The articles of capitulation of the city of Manila on the 13th of August, 1898, concluded with these words:

"This city, its inhabitants, its churches and religious worship, its educational establishments, and its private property of all descriptions, are placed under the special safeguard of the faith and honor of the American Army."

I believe that this pledge has been faithfully kept. As high and sacred an obligation rests upon the Government of the United States to give protection for property and life, civil and religious freedom, and wise, firm, and unselfish guidance in the paths of peace and prosperity to all the people of the Philippine Islands. I charge this Commission to labor for the full performance of this obligation, which concerns the honor and conscience of their country, in the firm hope that through their labors all the inhabitants of the Philippine Islands may come to look back with gratitude to the day when God gave victory to American arms at Manila and set their land under the sovereignty and the protection of the people of the United States.

WILLIAM MCKINLEY.